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EVALUATION OF THE SCHEME OF REHABILITATION OF BONDED LABOUR IN UTTAR PRADESH

[FINAL REPORT]

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LABOUR COMMISSIONER, UTTAR PRADESH
KANPUR

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PREFACE

The common feature of modern system of bondage is that of 'debt' and its 'repayment' and its origin may be traced to the permanent settlement of land. Although it began with agriculture, the problem of bonded labour subsequently entered other sectors of the economy as well and continued to plague our economy well after Independence. Ultimately the Central Government decided to put an end to it through the promulgation of the Bonded Labour System (Abolition) Act in 1976. However, the problem could not be rooted out and a survey conducted in U.P. in December 1996 also indicated the presence of bonded labour in various districts.

This study aims at evaluating the scheme of rehabilitation of bonded labourers in the districts of Varanasi and Chitrakoot. The analysis highlights the fact that in recent years the problem of bonded labourers has been reduced to a considerable extent. However, the scheme of rehabilitation has not been able to bring about a major change in the socio-economic conditions of the bonded labourers. Although they are now earning much higher than what they used to while in bondage, even this amount is on the lower side and they can barely sustain themselves.

We are extremely thankful to the Labour Commissioner for providing requisite funds for conducting this study and for the help and co-operation extended to us by Shri N. Ram and Shri Pankaj Kumar from the Labour Commissioners Office, Kanpur for their valuable insight into the issue of bonded labourers. The field work could not have been possible without the total co-operation which we received from Mr. A.K. Rai, Deputy Labour Commissioner and Shri D.K. Singh, Assistant Commissioner both at Varanasi and Shri CML Maurya, Additional Labour Commissioner, Allahabad (Controlling Chitrakoot as well) and Shri Raj Kumar, Enforcement Officer, Chitrakoot. We also had fruitful discussions with Shri A.N. Mishra, Deputy Labour Commissioner, Lucknow and he shared his experience in this field with us.

The field work related to the study and subsequent tabulation of data was skillfully handled by our very dedicated team members comprising of Shri B.S. Koranga, Shri S.K. Trivedi, Shri K.S. Deoli, Shri Ram Karan and Shri Karuna Shankar Kanaujia. We wish to thank them all for their untiring efforts at locating the rehabilitated bonded labourers deep into the remote areas of the district particularly Chitrakoot. Last but not least we wish to record our gratitude to Shri Manoharan K. and Smt. Geeta Bisht for the efficient handling of the word processing of the report and Shri N.S. Bisht who handled the photocopy work.

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CHAPTER I

AN INTRODUCTORY NOTE ON BONDED LABOUR AND THE STUDY

The Problem

The concept of bonded labour is basically a social phenomenon and every social Institution is always in the process of gradual evolution and change. Thus, it is not easy to define the problem of bonded labour within a rigid frame of words and phrases. Therefore, it is always better to consider the problem in its historical background. Labour existed in the society even in the very early times and over a period underwent various changes and forms. In the very early period we witnessed utter servitude and the subjects were then made slaves. They were subjected to extremely harsh and ill treatment. Then came the system of debt-bondage. This was the result of poverty because of which the under-privileged were forced to borrow money from the money lender. Consequently, the person in the debt was forced to work under the money lender on the pretext of repayment of the debt. Creditor-debtor contracts were either written or oral and both had social sanction. The creditor could take work from the debtor till the repayment of the loan had been made in full. No leave of any kind was given to such workers in general but if leave was granted in some cases the debtor had to compensate for it by putting in extra work in order to fulfil the terms and conditions of the contract.

Even if we look at the problem in the Indian context historical evidence shows that the system of bondage is as old as the Vedic period. The Arthashastra of Kautilya,

the Manu Smriti and the Narada Smriti all contain references to the wide spectrum of servitude under the *dasa* (slave). Slaves were known by different names over different periods and in different areas. In Uttar Pradesh for instance the popular name for bonded labour is *Bandhuwa Mazdoor* or *Bandhak*. Even presently bonded labour is identified by different names and the terms of agreement between the master and servant may vary from place to place. However, one common feature of the modern system of bondage is that of 'debt' and its 'repayment'. In the modern time the origin of bonded labour may be traced to the permanent settlement of land.

There may be a number of factors which may force an individual to borrow money and become bonded such as:

- (a) Need for agricultural operations.
- (b) Unforeseen circumstances such as: (i) death of the bullocks; (ii) drought, floods or fire; (iii) death or sickness within the family; and (iv) social ceremonies such as marriage, etc.
- (c) Poverty.
- (d) Indebtedness.

Loans taken for any of the reasons cited above could force an individual to become bonded.

There are two types of loans which bind a debtor to the creditor. The first is the initial loan which may be advanced say during the beginning of the agricultural year. This itself makes him bonded and the individual has to offer his services to his creditor during the entire agricultural year. Secondly, after becoming a bonded labour the same individual may take additional loans for any one of the reasons cited above and that compounds his problem still further. Indebtedness once started generally takes

unmanageable proportions because the individual is not even in a position to repay the interest on the initial loan leave alone the principal amount. Consequently generation after generation from the family continue to remain bonded.

Unfortunately, the problem of bonded labour did not remain confined to only the agricultural sector alone. Even in the industrial sector this malpractice was initiated and some of the industry groups where bonded labour may be present include industries like carpet manufacturing, saree weaving, brick kilns, stone crushing and stone cutting industries, etc.

After Independence a very serious thought was given to the problem of bonded labour and the issue was repeatedly discussed in Parliament. In 1973, the government ultimately took up the matter and decided to adopt measures to stop this malpractice. However, in many States there had been no surveys to identify the presence of bonded labour or locate areas where they existed. Thus, many social and other institutions began to work in this area and identified large number of cases related to the presence of bonded labour. Institutions such as Gandhi Peace Foundation, National Labour Institute and the National Sample Survey Organization were some of the prominent ones to work in this area. The findings of their research enabled the government to understand the magnitude of the problem and to take up appropriate steps in order to curb it immediately and ultimately put an end to it as soon as possible.

According to the National Commission on Labour, "Bonded labour can best be described in terms of debt bondage fixed for a time or a life time or hereditarily descending from father to son in some cases." The Indian School of Social Science has defined bonded labour as a social agreement between a debtor and creditor under

which the debtor agrees to render labour or personal services to the creditor without remuneration in lieu of the satisfaction of the debt or part of the debt or interest on principal amount for a specific period or till the debt is satisfied or repaid. The Commissioner for Scheduled Castes and Scheduled Tribes in its twenty-fourth report has used the term 'bonded labour' to mean, "persons belonging to any particular caste or community forced or partly forced to work for a creditor under an agreement either without wage or for nominal wages which was less than the prescribed minimum wage."

Bonded Labour System (Abolition) Act

In 1976 the Parliament promulgated the Bonded Labour System (Abolition) Act. This was aimed to provide for abolition of bonded labour system with a view to preventing economic and physical exploitation of the weaker sections of the people and for matters connected therewith or incidental thereto. The Act states that it shall be deemed to have come into force on the 25th day of October 1975. Chapter II of the Act states that:

- (i) On the commencement of this Act, the bonded labour system shall stand abolished and every bonded labour shall, on such commencement, stand freed and discharged from any obligation as bonded labour.
- (ii) After the commencement of this Act, no person shall:
 - (a) make any advance under, or in pursuance of, the bonded labour system, or,
 - (b) Compel any person to render any bonded labour or other form of forced labour.

The Act lays stress on the following aspects:

- (i) Liability to repay bonded debt to stand extinguished.
- (ii) Property of bonded labourers to be freed from mortgage, etc.

- (iii) Freed bonded labourer not to be evicted from homestead, etc.
- (iv) Creditor not to accept payment against extinguished debt.

In order to carry out the provisions the State Government is to confer requisite powers on a District Magistrate. Moreover, every State Government, according to the Act, shall by notification in the Official Gazette constitute a Vigilance Committee in each district and sub-division. The Constitution of the district level Vigilance Committee will be as follows:

- (a) The District Magistrate or a person nominated by him, as Chairman.
- (b) Three persons belonging to the SC/ST category and living in the district, to be nominated by the District Magistrate.
- (c) Two social workers, residents of the district, nominated by the District Magistrate.
- (d) Not more than three persons to represent the official or non-official agencies in the district connected with rural development, to be nominated by the State Government.
- (e) One person to represent the financial and credit institutions in the district, to be nominated by the State Government.

The Vigilance Committee at the Sub-Division level has a similar constitution except for the fact that its Chairman will be the SDM or someone nominated by him.

The functions of the Vigilance Committee are:

- (i) To ensure that the rules of the Act are properly implemented.
- (ii) To provide for economic and social rehabilitation of the freed bonded labour.
- (iii) To co-ordinate the functions of rural banks and co-operative societies with a view to canalizing adequate credit to the freed bonded labour.
- (iv) To keep an eye on the number of offences of which cognizance has been taken under this Act.

- (v) To make a survey as to whether there is any offence of which cognizance ought to be taken under this Act.
- (vi) To defend any suit instituted against a freed bonded labourer or member of his family or any other person dependent on him for the recovery of the whole or part of any bonded debt which is claimed by such person to be bonded debt.

After the commencement of this Act, if any one compels any person to render any bonded labour shall be punishable with imprisonment for a term which may extend to three years and also with fine which may extend to twenty thousand rupees.

Procedure for Release and Rehabilitation of Bonded Labour

The Vigilance Committee either at the district or sub-divisional level receives information about the presence of bonded labour in their area. Information may be provided by an NGO active in the area or any other individual, from a bonded labour who might have made his escape, or through an anonymous phone call. On the basis of this information the DM or the SDM is contacted. A team is constituted comprising of the SDM, Tehsildar, Lekhpal, Labour Enforcement Officer and Official from the Police Department and they go to the cite where bonded labour are reported and make an inspection and enquire from the workers regarding their status in the unit. If during this enquiry it is revealed that people were being held bonded then a statement of those being held bonded is recorded. An FIR is lodged and a case is filed in the court of the Chief Judicial Magistrate against the offenders. The Chief Judicial Magistrate issues a Release Certificate by the virtue of which the individual who was being held bonded is

set free. This individual is supposed to be paid Rs.1000 as a subsistence amount and he is sent to his native village after keeping record of his address to which he is returning. In case there is any fear that the individual may be harmed by those who had held him bonded then there is the provision of providing him police escort. The DM of the district to which the released bonded labour is returning is also sent information to this effect.

After the released bonded labour has gone back to his village then the enforcement officer from the labour department contacts him. He is asked to sign an affidavit giving details of his being held bonded. This affidavit is required to institute a case against the person who had held him bonded. Besides this the individual is also asked to indicate his preference regarding the work he would like to undertake in order to sustain himself and his family. Earlier each released bonded labour was entitled to a subsidy of Rs.10,000, which was shared on a 50 : 50 basis between the Central and respective State Governments. The enforcement officer is expected to verify whether the vocation he has indicated has the potential to sustain him or not over a period of time. After the enforcement officer is satisfied with the activity indicated by an individual a report is made and sent to the Labour Commissioner. The papers are processed and sent to the Secretary, Labour Department of the State Government who then send it to the Labour Department of the Central Government for their clearance and their share of the subsidy amount. The papers from the Central Ministry are sent to the State Government, Labour Commissioner and the concerned DM along with the full subsidy amount. It is then handed over to the individual. Previously the subsidy was paid either fully or partly in kind. But there were some problems involved regarding purchase of items as per the preference of the individual who was to be rehabilitated

and so the entire subsidy amount is now being paid in cash and the rehabilitated individual has to produce documentary evidence to prove that the subsidy amount was actually spent on the items for which it had been disbursed. Of late the thinking has once again been that it is much better to give the subsidy in kind rather than in cash. This will enable the individual to get good quality product and will also avoid any misuse of the subsidy amount.

There is generally no problem with the payment of subsidy amount except for the fact that the procedure is time consuming and so may take a considerable duration before the released bonded labourer receives the same. He has, therefore, to manage his household with his own efforts till the time he receives subsidy from the government. However, one area where the released bonded labourers face a genuine problem is the payment of Rs.1000 as a subsistence allowance. In quite a few cases this amount is not received by the released bonded labourers while they are being sent to their native place. The problem lies in the fact that the DM does not have a specific fund earmarked for this purpose. However, there is provision under TR 27 through which the DM, if he feels fit, can release the amount. Thus, it is found that some DMs exercise this power while others do not. The released bonded labour is seriously in need of money when he has just been released so that he can make two ends meet before he can find any sort of employment within or around his native place. It is, therefore, essential that the DMs should have specific instructions for the release of the subsistence amount whether it be from a specifically designed fund or under the TR 27 provision. At no cost should the freed bonded labour be sent home without payment of the subsidy amount.

Yet another problem which is faced by the authorities in the process of rehabilitation is that when the bonded labour is released the team who identifies him merely takes a statement. He is asked to provide an affidavit later on when the enforcement officer goes to his village to find out the vocation he is interested in. At that point of time many bonded labourers refuse to accept the fact that they had been held bonded. Consequently, they refuse to accept any subsidy towards their rehabilitation and also that the offenders get away scott free since no legal action can be taken against them. It would, therefore, be a much better idea if the bonded labour is asked to give the affidavit at the time of his release itself.

The Situation of Bonded Labour in Uttar Pradesh

A national level workshop on bonded labour was held in New Delhi in May 1978 and in the workshop it was agreed on the ways to carry out a survey related to the problem in 10 States. The survey was co-ordinated by a team in New Delhi at the Gandhi Peace Foundation and at the National Labour Institute. Uttar Pradesh was one of the ten States selected for the survey.

According to the survey, which was conducted in 235 villages, the projected estimate of bonded labourers in the State was 5.5 lakhs. The survey was done to identify bonded labourers in the agricultural sector. The report categorized districts according to the level of incidence.

- (i) Very high incidence (20,000 and above) – Ballia, Hamirpur, Hardoi, Kheri, Sitapur, Bijnore, Bareilly (7 districts).
- (ii) High incidence (10,000 to 20,000) — Etah, Jhansi, Mirzapur, Saharanpur, Basti, Bulandshahar, Moradabad, Muzaffarnagar, Rae Bareli, Shahjahanpur, Meerut, Varanasi, Deoria (13 districts).

- (iii) Medium incidence (5,000 to 10,000) — Banda, Budaun, Etawah, Jalaun, Ghazipur, Mathura, Pilibhit, Unnao, Nainital (9 districts).
- (iv) Low incidence (500 to 5,000) — Agra, Aligarh, Allahabad, Bahraich, Barabanki, Lucknow, Mainpuri, Gonda (8 districts).
- (v) Bonded Labour not likely to be found — Azamgarh, Fatehpur, Gorakhpur, Jaunpur, Pratapgarh, Pithoragarh, Farrukhabad, Almora, Kanpur (9 districts).
- (vi) No information available — Dehradun, Pauri Garhwal, Chamoli, Tehri Garhwal, Uttarkashi, Rampur, Faizabad (7 districts).

It is clear from the classification given above that out of the 52 districts in the State as many as 20 were those where the incidence of bonded labour was very high or high.

Keeping in mind the problem of bonded labour and the survey conducted by the Gandhi Peace Foundation and the National Labour Institute, a centrally sponsored scheme for Rehabilitation of Bonded labour formulated by the Ministry of Labour in 1978. Under the scheme all proposals for rehabilitation of bonded labour used to be scrutinized by a screening committee in the Ministry of Labour. Originally the scheme provided for rehabilitation assistance upto a ceiling of Rs.4000 per bonded labour. It was to be shared on a 50 : 50 basis by the Central and State Governments concerned. This amount was raised to Rs.6,250 with effect from 1.2.1986 and subsequently to Rs.10,000 with effect from 1.4.1995.

According to the State Government, in Uttar Pradesh there was no backlog for rehabilitation of bonded labourers at the end of 1987-88.

On the Writ Petition (Civil) No.3922/85, "Public Union for Civil Liberty Versus State of Tamil Nadu and Others", the Supreme Court on 13.05.1994 gave its orders and directed the government to conduct quarterly surveys related to bonded labour and ensure holding of regular meetings of the Vigilance Committees to review the situation related to bonded labour. Further, in its judgement on 19.11.1996 the Supreme Court further ordered that a survey related to existence of bonded labourers should be completed by the end of December 1996. The Government of Uttar Pradesh also gave directives to carry out a survey in the State. Since 1997 around 1700 bonded labourers have been identified out of which 900 belonged to other states. Out of those released and belonging to Uttar Pradesh itself around 350 had been rehabilitated by April 2001.

Table I.1 provides year-wise and district-wise details related to identification and release of bonded labourers in Uttar Pradesh between 1996-97 to 2002-2003. On the whole as many as 26 districts figure in the sample over the entire period of time mentioned above. However, in any given year as such the maximum number of districts is 12. Moreover there are 11 districts which figure in the Table in any one of the seven years. At the same time districts like Mirzapur, Varanasi, Bhadohi and Allahabad figure in the Table during five or six years, thereby indicating the high incidence of bonded labourers in those districts. Faizabad, Meerut and Ghaziabad districts are found in three out of the seven years. If we add up the total number identified and released bonded labourers between 1996-97 and 2002-03 the total cases add upto 2213. Out of these as many as 1487 belonged to other states. As a result only 826 were eligible for getting the benefit of rehabilitation scheme of the government within the State. A consolidated picture of the State as a whole can be seen in Table I.2.

Table I.1: District-wise Details of Identification and Release of Bonded Labourers in Uttar Pradesh Between 1996-97 and 2002-2003

Sl. No.	Name of the District	Identified/Released						
		1996-97	1997-98	1998-99	1999-2000	2000-01	2001-02	2002-03
1.	Sonebhadra	168	--	--	--	--	--	--
2.	Mirzapur	100	22	17	--	--	35	27
3.	Jaunpur	01	--	--	01	09	--	--
4.	Varanasi	25	01	07	02	44	--	76
5.	Bhadohi	52	134	21	--	16	25	--
6.	Chitrakoot (Banda)	61	01	--	--	--	--	--
7.	Allahabad	--	16	90	38	01	47	31
8.	Siddharthnagar	--	--	17	--	--	--	--
9.	Kanpur City	--	--	100	--	--	--	--
10.	Ferozabad	--	--	01	31	--	--	--
11.	Pratapgarh	--	--	51	--	09	--	--
12.	Faizabad	--	--	23	--	52	48	--
13.	Rae Bareilly	--	--	--	69	--	--	--
14.	Sant Ravidas Nagar	--	--	--	43	--	--	01
15.	Meerut	--	--	--	111	59	25	--
16.	Gautam Budh Nagar	--	--	--	88	--	--	--
17.	Ghaziabad	--	--	--	13	18	--	20
18.	Kannauj	--	--	--	80	84	--	--
19.	Unnao	--	--	--	57	--	--	--
20.	Azamgarh	--	--	--	19	--	--	--
21.	Muzaffargarh	--	--	--	--	63	--	--
22.	Ambedkar Nagar	--	--	--	--	40	--	--
23.	Rampur	--	--	--	--	24	--	01
24.	Kaushambi	--	--	--	--	--	--	45
25.	Hardoi	--	--	--	--	--	--	07
26.	Moradabad	--	--	--	--	--	--	46
	Total	407	174	327	550	419	180	254

Table I.1 (contd.....)

Sl. No.	Name of the District	Migrated (Other States)						
		1996-97	1997-98	1998-99	1999-2000	2000-01	2001-02	2002-03
1.	Sonebhadra	34	--	--	--	--	--	--
2.	Mirzapur	04	05	16	--	--	35	26
3.	Jaunpur	--	--	--	01	09	--	--
4.	Varanasi	04	01	07	02	31	--	75
5.	Bhadohi	45	121	17	--	16	25	--
6.	Chitrakoot (Banda)	--	--	--	--	--	--	--
7.	Allahabad	--	16	84	32	01	42	31
8.	Siddharthnagar	--	--	17	--	--	--	--
9.	Kanpur City	--	--	100	--	--	--	--
10.	Ferozabad	--	--	--	--	--	--	--
11.	Pratapgarh	--	--	46	--	09	--	--
12.	Faizabad	--	--	23	--	52	48	--
13.	Rae Bareilly	--	--	--	69	--	--	--
14.	Sant Ravidas Nagar	--	--	--	42	--	--	--
15.	Meerut	--	--	--	04	--	--	--
16.	Gautam Budh Nagar	--	--	--	--	--	--	--
17.	Ghaziabad	--	--	--	--	01	--	--
18.	Kannauj	--	--	--	80	84	--	--
19.	Unnao	--	--	--	57	--	--	--
20.	Azamgarh	--	--	--	19	--	--	--
21.	Muzaffargarh	--	--	--	--	--	--	--
22.	Ambedkar Nagar	--	--	--	--	40	--	--
23.	Rampur	--	--	--	--	24	--	--
24.	Kaushambi	--	--	--	--	--	--	45
25.	Hardoi	--	--	--	--	--	--	01
26.	Moradabad	--	--	--	--	--	--	46
	Total	87	143	310	306	267	150	224

Table I.1 (contd.....)

Sl. No.	Name of the District	Eligible for Rehabilitation in the State						
		1996-97	1997-98	1998-99	1999-2000	2000-01	2001-02	2002-03
1.	Sonebhadra	129+5**	--	--	--	--	--	--
2.	Mirzapur	96	16+1**	01	--	--	--	01
3.	Jaunpur	01*	--	--	--	--	--	--
4.	Varanasi	21	--	--	--	13	--	01
5.	Bhadohi	07	13	04	--	--	--	--
6.	Chitrakoot (Banda)	61	01*	--	--	--	--	--
7.	Allahabad	--	--	06	06	--	05	--
8.	Siddharthnagar	--	--	--	--	--	--	--
9.	Kanpur City	--	--	--	--	--	--	--
10.	Ferozabad	--	--	01	31	--	--	--
11.	Pratapgarh	--	--	05	--	--	--	--
12.	Faizabad	--	--	--	--	--	--	--
13.	Rae Bareli	--	--	--	--	--	--	--
14.	Sant Ravidas Nagar	--	--	--	01	--	--	01
15.	Meerut	--	--	--	107	59	25	--
16.	Gautam Budh Nagar	--	--	--	88	--	--	--
17.	Ghaziabad	--	--	--	13	17	--	20
18.	Kannauj	--	--	--	--	--	--	--
19.	Unnao	--	--	--	--	--	--	--
20.	Azamgarh	--	--	--	--	--	--	--
21.	Muzaffarnagar	--	--	--	--	63	--	--
22.	Ambedkar Nagar	--	--	--	--	--	--	--
23.	Rampur	--	--	--	--	--	--	01
24.	Kaushambi	--	--	--	--	--	--	--
25.	Hardoi	--	--	--	--	--	--	06
26.	Moradabad	--	--	--	--	--	--	--
	Total	315+5	30+1	17	246	152	30	30

N.B. : * The identified bonded labour refused the subsidy amount (one each in Jaunpur and Chitrakoot)

**In Sonebhadra 4 released bonded labourers had expired and one was missing. Similarly one individual in Mirzapur had expired.

Source: Labour Commissioner's Office, Kanpur.

Table I.2: Bonded Labourers Released/Rehabilitated in Uttar Pradesh Between 1996-97 and 2002-2003

Year	Total Identified/ Released	Migrated (Belonging to Different State)	Eligible for Rehabilitation Within State	Those Released from Other States/To be Rehabilitated in U.P.	Total	Dead/Missing/ Refused Subsidy	Rehabilitated	Those Still to be Rehabilitated
1996-1997	407	87	320	--	320	05*	30	285
1997-1998	174	143	31	--	31	02*	31	283
1998-1999	327	310	17	10**	27	--	71	239
1999-2000	552	306	246	--	246	--	78	407
2000-2001	419	267	152	21	173	06*	106	468
2001-2002	180	150	30	--	30	--	21	477
2002-2003	254	224	30	--	30	--	03	504
Total	2313	1487	826	31**	857	13*	340	504***

Note : * 04 Dead, 01 Missing (District Sonebhadra, 1996-97), 06 Dead (Mirzapur, 2000-2001), and 2 refused subsidy (Jaunpur/Chitrakoot).

** 10 Released from Rajasthan and 21 from Haryana for Rehabilitation in U.P.

*** 10 Cases of Rehabilitation under process in Sonebhadra.

Source: Labour Commissioner's Office, Kanpur.

The Significance and Objectives of the Present Study

The Bonded Labour System (Abolition) Act was passed in 1976 and since 1978 the scheme of rehabilitation of the released bonded labourers has been in operation and a sizeable number of released bonded labourers have actually been rehabilitated in various districts of Uttar Pradesh as indicated by Table I.1. It was, therefore, thought appropriate to try and evaluate the scheme in order to find out the extent to which it has been effective in releasing the bonded labourers and in rehabilitating them so that they are able to lead a respectable life and earn sufficiently to sustain themselves and their family.

The Labour Commissioner, Kanpur, therefore entrusted us with the task of carrying out the evaluation study in the districts of Varanasi and Chitrakoot with the following broad objectives in mind.

- (a) To assess the efforts of the Central and State Governments in the process of identification and rehabilitation of bonded labour;
- (b) To find out the reasons forcing individuals becoming bonded and the duration for which they were kept bonded;
- (c) To find out how they were identified and the time taken before they were set free and rehabilitated and whether or not they are still under pressure from their masters;
- (d) To evaluate the impact of rehabilitation scheme for bonded labourers by analysing how their socio-economic conditions have undergone a change since being rehabilitated;
- (e) To find out whether some changes need to be incorporated in the scheme of rehabilitation to make it more effective.

Methodology and Sample Size

The study was based on a field survey carried out in the two districts of Varanasi and Chitrakoot allotted to us by the Labour Commissioner, Kanpur. According to the list of rehabilitated bonded labourers provided to us there were 21 and 65 cases of rehabilitation in the districts of Varanasi and Chitrakoot respectively and we carried out a survey by covering the entire universe. In order to collect information for the study two sets of schedules were developed and then approved by the Labour Commissioner before the field survey was initiated.

The first schedule was framed to collect information from the rehabilitated bonded labourers to obtain information about their general characteristics, demographic structure of their households, details regarding the duration while they were held bonded, details about their release and rehabilitation and the improvement in their overall socio-economic conditions since rehabilitation.

The second schedule was framed in order to obtain the views of some influential persons from the area such as members of the Vigilance Committee, persons who are running the NGO, social workers or social activists, political figures, etc. in order to find out from them about the incidence of bonded labour in their area, the impact of the Act on offenders, their views regarding short-comings, if any, in the scheme of rehabilitation and suggestions for making the scheme more effective.

Besides the primary information the office of the Labour Commissioner provided us secondary information about the efforts undertaken by the State Government in the identification and rehabilitation of bonded labourers in different districts over the past seven years.

Actual Position of the Selected Districts as Emerging after the Field Survey

As indicated earlier the number of rehabilitated bonded labourers was 21 and 65 in Varanasi and Chitrakoot districts. However, when we conducted the field survey we were able to contact 18 individuals in Varanasi and 40 in Chitrakoot district. The three who could not be contacted in Varanasi had taken up employment in a different state. In the case of Chitrakoot as many as 16 individuals who had been identified and duly released from bondage later refused to accept the fact that they were held bonded and

so they refused to accept the subsidy amount. Out of the remaining 9 individuals one had expired while the other 8 were in employment in either other villages of the same district, or another district or even in a different state. The details of the rehabilitation are provided in Table I.3 and Table I.4 for Varanasi and Chitrakoot respectively.

Table I.3: Details of Rehabilitated Bonded Labourers in Varanasi District

Sl. No.	Block/Village	Total Rehabilitated Bonded Labourers	Actual Sample Covered	Number of Rehabilitated Bonded Labourers Not Available during Survey	Reasons for non-availability
	A. Pindra Block	19	17	2	
1.	Gangapur	6	6	--	
2.	Jagdishpur	5	5	--	
3.	Mangari	3	2	1	Gone to Mumbai for Work
4.	Duldulpur	1	1	--	
5.	Bakrundpur	1	1	--	
6.	Nevada	1	1	--	
7.	Gahani	1	1	--	
8.	Anautwar	1	--	1	Gone to Surat (Gujarat) for Work
	B. Bawatpur Block	2	1	1	
1.	Naipura	2	1	1	Gone to Mumbai for Work
	Total (A+B)	21	18	3	

Table I.4: Details of Rehabilitated Bonded Labourers in Chitrakoot District

Sl. No.	Block/Village	Total Rehabilitated Bonded Labour	Actual Sample Covered	Number of Rehabilitated Bonded Labour Not Available during Survey	Reasons for non-availability
	A. Manikpur Block	44	37	7	
1.	Markundi Purwa	2	2	--	
2.	Patin Itwa Dudaila	4	4	--	
3.	Itwo Dudaila	4	4	--	
4.	Motwa Mangawan	1	--	1	Migrated to other village
5.	Baramafi	2	2	--	
6.	Choti Mariyyan	5	5	--	
7.	Sigava Kota Kadela	1	1	--	
8.	Kallahah	2	2	--	
9.	Giduraha	1	1	--	
10.	Sakarawah	3	3	--	
11.	Garwa Uchhadih	5	2	3	Gone to Delhi for work
12.	Chamroha	4	4	--	
13.	Jhalmal	2	1	1	Gone to Allahabad for work
14.	Darai	1	1	--	
15.	Uchhadih	1	1	--	
16.	Patrakar Ka Purwa	2	2	--	
17.	Ranipur	2	2	--	
18.	Pateria	1	--	1	Migrated to other village
19.	Kharodh	1	--	1	Expired
	B. Mau Block	5	3	--	
1.	Bhairampur	4	2	2	Gone to Jallundhar (Punjab) for work
2.	Kotwa-Mafi	1	1	--	
	Total (A+B)	49	40	9	
	C. Released persons refusing subsidy	16	--	--	
	Total (A+B+C)	65	40	9	

CHAPTER II

ANALYSIS OF THE SOCIO-ECONOMIC CONDITION OF REHABILITATED BONDED LABOUR

In the earlier chapter we had indicated that in the districts of Varanasi and Chitrakoot we had initially set out to cover 21 and 65 cases of rehabilitated bonded labourers respectively. However, we could actually contact 18 in Varanasi and 40 in Chitrakoot. The reasons for the actual number being less than the list provided has already been discussed in the previous chapter. Thus our analysis will be based on the actual sample of rehabilitated bonded labourers which we could contact and from which relevant information has been collected.

Characteristics and Demographic Structure of Bonded Labourers

Table 2.1 deals with the general characteristics of the respondents. In the case of Varanasi a majority of the bonded labourers released were children and this is reflected in their relatively low age groups. Their average age worked out to be 20 years only. As against this there were merely two respondents in Chitrakoot who were below 25 years of age and as many as 29 (72.5 per cent) were found in the age group ranging between 26-45 years. Besides this there were 7 who were above 60 years. Consequently the average age was much higher at 40 years.

Even from the early times the cause of being bonded has been faced inevitably by the disadvantaged groups. This is once again evident even at present since around 83 and 100 per cent of our respondents were either from SC/ST or OBC families in both the Varanasi and Chitrakoot respectively. The only other community were Muslims who were found in Varanasi.

Table 2.1: General Characteristics of the Bonded Labourers

Characteristics	Varanasi	Chitrakoot
Total Number	18	40
1. <u>Age Group (Years)</u>		
15 – 19	10	–
20 – 25	8	2
26 – 45	–	29
45 – 60	–	2
60 and Above	–	7
Average Age (Years)	20	40
2. <u>Caste:</u>		
SC/ST	8	38
OBC	7	2
Minority	3	–
3. <u>Religion</u>		
Hindu	15	40
Muslim	3	–
4. <u>Marital Status</u>		
Married	9	37
Unmarried	9	1
Widow/Widower	–	2
5. <u>Educational Qualification</u>		
Illiterate	13	32
Can read and write	2	3
Upto Class V	5	5
6. <u>Type of House</u>		
Pucca	11	–
Kutchha	5	37
Partly Pucca	2	3
7. <u>Drinking Water</u>		
Yes	7	19
No	11	21
8. <u>Electricity</u>		
Yes	8	5
No	10	35
9. <u>Present Occupation</u>		
Agriculture & Animal Husbandry	–	3
Agriculture Labour	–	6
Non-Agriculture Labour	8	24
Business/Self-Employed	10	4
Service	–	1
Nothing (Blind)	–	2
10. <u>Present Income (Rs. Per Month)</u>		
Upto 500	2	5
501-800	5	11
801-1000	6	11
Above 1000	5	11
11. <u>Secondary Occupation</u>		
Agriculture and Animal Husbandry		
Upto 500	2	14
500-800	–	3

In the case of Varanasi only half the respondents were married. This is quite understandable since they are relatively young. In Chitrakoot however the percentage of married persons was over 92.

A very high percentage of our respondents were illiterate in both districts. The actual figures were around 72 and 80 per cent in Varanasi and Chitrakoot respectively. Only five respondents in each district had studied between Class I to Class V. The rest could merely read and write without having any formal education as such.

As far as their living conditions are concerned, the situation was better in Varanasi with 61 per cent living in pucca houses. There was not even a single case of the respondent having a pucca house in Chitrakoot. The situation with respect to drinking water availability was almost similar (39 and 47 per cent respectively in Varanasi and Chitrakoot) but in the case of electricity again Varanasi was slightly better with 44 per cent respondents having electricity as against only around 13 per cent in Chitrakoot.

Looking at their present primary occupation, the respondents of Varanasi were either non-agricultural labourers (44 per cent) or doing business (56 per cent). In Chitrakoot also the main concentration was found among non-agricultural labourers (60 per cent). However, some were found in agriculture and animal husbandry as agricultural labourers, business and service. There were two respondents who were not capable of doing any work, as they were blind and also above 60 years in age. These individuals are economically not very well off since nearly 39 and 40 per cent are earning only upto Rs.800 per month in Varanasi and Chitrakoot respectively. The rest

Table 2.2(B): Demographic Structure of the Households (Chitrakoot)

Family Members	Total Family Members	Education						Activity Status					
		Child below 5 years of age	Illiterate	Literate	Upto Class V	JBS	High School	Working	Student	Unemployed	Housewife	Old Age/ Retired	Child
Adult Male	58	--	46	5	5	2	--	55	--	--	--	3	--
Adult Female	50	--	47	2	--	1	--	36	--	--	14	--	--
Children													
Below 5 Years	48	48	48	--	--	--	--	--	--	--	--	--	48
6 - 11 Years	43	--	20	23	--	--	--	--	23	--	--	--	20
11 - 14 years	12	--	4	--	5	3	--	1	8	--	--	--	3
14 - 17 years	6	--	3	--	--	3	--	4	2	--	--	--	--
Total	217	48	120	30	10	9	--	96	33	--	14	3	71
Average Family Size	5.43												

The total number of adults (males and females combined) were 78 and 108 respectively in Varanasi and Chitrakoot out of these only 59 per cent were in employment in Varanasi while this percentage was as high as 84 per cent in Chitrakoot. In both the districts some children between 11 to 17 year age group were also found working to lend a helping hand to their household.

The occupational categories of the working members from the households and their income in Varanasi is given in Table 2.3 (A) and for Chitrakoot in Table 2.3 (B). The figures are inclusive of the respondents. The main concentration in the case of Varanasi is found among non-agricultural workers and around 55 per cent workers are engaged in this activity. People are engaged in other activities as well such as agriculture and animal husbandry, service, business, self-employed and as agricultural labourers but no category is very prominent. Looking at the income group of the

Table 2.3 (A): Occupational Distribution and Income Pattern of Household Members (Varanasi)

Family Members	Occupational Categories						Monthly Income of Households (Rs.)			Average Monthly Income per Household (Rs.)
	Agriculture & Animal Husbandry	Agriculture Labour	Non-Agricultural Labour	Self-Employed	Business	Service	Upto 500	500-1000	1000-2000	
Adult Male	2	—	26	8	4	2	—	12	30	
Adult Female	1	3	—	—	—	—	3	1	—	
Children										
Below 5 Years	—	—	—	—	—	—	—	—	—	
6 – 11 Years	—	—	—	—	—	—	—	—	—	
11 – 14 years	—	1	—	—	—	—	—	1	—	
14 – 17 years	—	—	1	—	1	—	1	1	—	
Total	3 (6.1)	4 (8.2)	27 (55.2)	8 (16.3)	5 (10.2)	2 (4.1)	4 (8.2)	15 (30.6)	30 (61.2)	2767

Note :Figures in brackets indicate percentage.

Table 2.3 (B): Occupational Distribution and Income Pattern of Household Members (Chitrakoot)

Family Members	Occupational Categories						Monthly Income of Households (Rs.)			Average Monthly Income per Household (Rs.)
	Agriculture & Animal Husbandry	Agriculture Labour	Non-Agricultural Labour	Self-Employed*	Business	Service	Upto 500	500-1000	1000-2000	
Adult Male	8	8	32	4	1	2	8	19	28	
Adult Female	8	7	5	16	—	—	28	8	—	
Children										
Below 5 Years	—	—	—	—	—	—	—	—	—	
6 – 11 Years	—	—	—	—	—	—	—	—	—	
11 – 14 years	—	1	—	—	—	—	—	1	—	
14 – 17 years	1	1	1	1	—	—	—	4	—	
Total	17 (17.7)	17 (17.7)	38 (39.6)	21 (21.9)	1 (1.0)	2 (2.1)	36 (37.5)	32 (33.3)	28 (29.2)	1816

* Wood Cutter and Seller

Note :Figures in brackets indicate percentage.

employed members of these household it is revealed that around 61 per cent are earning between Rs.1000-2000 per month and another 30.6 per cent between Rs.500-1000. The rest get below Rs.500 per month. This goes to show that economically they are not very well off and can barely sustain themselves. The overall average household income in Varanasi worked out to be Rs.2767 per month. In the case of Chitrakoot, however, the individuals working are found spread over four main activities namely agricultural and animal husbandry, agricultural labour, non-agricultural labour and self-employment category. Here also the most important is non-agricultural labour, which accounts for nearly 40 per cent of the total employment among these household. But the income levels of the employed persons is lower as compared to Varanasi as the people are found almost evenly spread in the three different income categories as highlighted by Table 2.3 (B) and the average monthly household income works out to Rs.1816 per month.

Background of Factors Leading to Bondage

A section of the schedule was specifically designed to obtain information from the rehabilitated bonded labourers about the factors which forced them to become bonded, what activity were they engaged in prior to becoming bonded, the activity in which they were working while serving as bonded labourers, remuneration which they were being given by their respective master. And the duration for which they had to face the ignominy of remaining bonded. The detailed information related to these aspects is presented in Table 2.4 and our analysis is based on this table.

Table 2.4: Background of Bonded Labourers

Background	Varanasi	Chitrakoot
Total Sample	18	40
1. Age at the time of Becoming Bonded (Years)		
Below 10	9 (50.0)	1 (2.5)
10 – 15	8 (44.4)	10 (25.0)
15 – 25	1 (5.6)	20 (50.0)
25 – 30	--	3 (7.5)
30 – 40	--	5 (12.5)
Above 40	--	1 (2.5)
2. Activity Before Becoming Bonded		
Child	4 (22.2)	8 (20.0)
Student	3 (16.7)	--
Unemployed	5 (27.8)	4 (10.0)
Household Work	1 (5.5)	--
<u>Employed</u>		
Agriculture and Allied	--	5 (12.5)
Agriculture Labour	--	14 (35.0)
Self-Employed	--	1 (2.5)
Saree Weaving	5 (27.8)	--
Non-Agriculture Labour	--	8 (20.0)
3. Monthly Earnings of the Employed Respondents		
Below 250	3	18
250 – 500	2	6
Above 500	--	4
Average Monthly Earnings (Rs.)	240	264
4. Place where you served as a bonded Labourer		
Saree Weaving Unit	18 (100.0)	2 (5.0)
With a Landlord (Agriculture)	--	37 (92.5)
Stone Cutting Industry	--	1 (2.5)
5. Circumstances Forcing you to become Bonded		
Debt	8 (44.4)	19 (47.5)
Under Training	3 (16.7)	--
Poverty	7 (38.9)	11 (27.5)
Forcefully made bonded	--	9 (22.5)
Unemployment	--	1 (2.5)
6. Nature of Work done as Bonded Labourer		
Saree Weaving	18 (100.0)	2 (5.0)
Agricultural Operations	--	37 (92.5)
Stone Cutting	--	1 (2.5)
7. Mode of Payment		
(a) Cash:		
Monthly	17 (94.4)	3 (7.5)
Piece Rate Basis	1 (5.6)	--
(b) In kind	--	37 (92.5)
8. Amount of Payment (Rs. per Month)		
Below 250	5 (27.8)	--
250 – 500	11 (61.1)	1
Above 500	2 (11.1)	2
Average Monthly Earnings (Rs.)	298	510

Table 2.4 (contd...)

Background	Varanasi	Chitrakoot
9. <u>Was the Payment of Wages adjusted against the debt</u>		
Yes	7	12
No	1	7
10. <u>Number of Years you had to remain bonded</u>		
Upto 2 years	5 (27.8)	4 (10.0)
2 – 5 years	9 (50.0)	7 (17.5)
5 – 10 years	4 (22.2)	13 (32.5)
10 – 15 years	—	7 (17.5)
Above 15 years	—	9 (22.5)

Note: Figures in brackets indicate percentage.

In the case of Varanasi only 5 (27.8 per cent) were actually working at the time they were forced into becoming bonded. All these five respondents were employed in the saree weaving industry. In fact the sample which we have from Varanasi is one where not only do we have a case of bonded labourers but also the fact that all of them with the sole exception of one respondent were below eighteen years of age. If we look into the actual age of these individuals at the time of becoming bonded it is revealed that as many as 9 out of the total respondents were below 10 years old while another 8 were in the age group of between 10 to 15 years. Only one individual was around 19 years in age at the time he was made bonded. Thus there was the additional problem of children being held in bondage. It is quite obvious from the information related to their age that only a few of them (27.8 per cent) were employed. The rest were children, students or unemployed. Looking at those who were doing some work it is seen that they were all employed in the saree weaving units. Varanasi is an important centre for saree weaving and this work is spread over various blocks of the district. In fact the table even reveals that after becoming bonded all the 18 respondents of Varanasi were released from the saree weaving units. Although some

of them were working prior to becoming bonded they were earning a very meagre amount. Three out of them were earning below Rs.250 per month while the remaining two between Rs.250 and 500 per month (Table 2.4).

The factors which led to these persons becoming bonded were mainly because of indebtedness (44.4 per cent) and poverty (38.9 per cent). The remaining (16.7 per cent) were those who had initially began working in a saree unit to take training in this vocation. It is quite natural that since all our respondents were held bonded in the saree weaving industry they were asked to do work related to weaving. The entire lot of respondents were paid for the services they rendered to their master in cash. Nearly 95 per cent were paid on a monthly basis while one individual (around 5 per cent) was made payment on a piece rate basis. However, the wages paid to them were rather low. Nearly 28 per cent earned below Rs.250 per month while another 61 per cent received between Rs.250 and 500 each month. Only two (11 per cent) received payment in excess of Rs.500 per month. Taking their earnings together the average wages worked out to be Rs.298 per month. It may be recalled that there were eight cases of bonded labourers who were in debt. In seven such cases the creditor had been adjusting his loan against the wages being paid to the bonded labourers (Table 2.4).

When we look at the duration for which they remained bonded before being released it is found that half of them remained under the clutches of their master for periods ranging between 2 to 5 years. Around one-fourth were in bondage for below two years while almost another one-fourth had served for 5 to 10 years as bonded labourers (Table 2.4).

The picture in the case of Chitrakoot is somewhat different. In our entire sample only one individual was below 10 years at the time of becoming a bonded labourer. Half the sample was concentrated in the age group 15 to 25 years while one-fourth of them were between 10-15 years old. The remaining were scattered over the remaining higher age categories and the oldest individual to become bonded was 43 years old. By virtue of the fact that they were relatively older than their counterparts in Varanasi as many as 28 (70 per cent) respondents were in employment and the activity in which they were found concentrated were agricultural labour, non-agricultural labour and as cultivators. Here too the income levels were rather low with a very heavy concentration in the lowest income category of below Rs.250 per month contrary (Table 2.4).

In the case of Chitrakoot the concentration of bonded labourers was found in the agricultural sector with nearly 93 per cent respondents found in this sector alone. The rest were either in saree weaving or stone cutting industry. In Chitrakoot the stone cutting and stone crushing industry is the main industry group and there are even at present around 30 stone crushing and nearly as many stone cutting units. The masters holding these individuals in bondage took work from them in accordance with their business. However, in stark contrast to Varanasi these bonded labourers were being paid in kind in terms of 1.25 kg. of rations per person per day, and these accounted for nearly 93 per cent of our total sample. The rest were being paid in cash and the average monthly wages of these persons worked out to be Rs.510. It had been pointed out that 19 (47.5 per cent) respondents had been forced to become bonded as a result of their indebtedness. However, in only around 63 per cent cases the creditors were adjusting their loan against the wages which were being paid to them (Table 2.4).

The duration for which people remained bonded is also much higher in the case of Chitrakoot. The highest concentration is found in the period 5-10 years (32.5 per cent) followed by above 15 years (22.5 per cent). An equal number of respondents were found in the 2 to 5 and 10 to 15 year periods while the rest were in bondage for below two years (Table 2.4).

Identification of Bonded Labourers, Their Release and Rehabilitation

Having analyzed the circumstances which forced the respondents into becoming bonded, it is also equally important to analyze the details pertaining to their identification, release and rehabilitation. This analysis has been attempted with the use of Table 2.5. It is revealed from the table that in both the selected districts the bonded labourers had been identified in the year 1996-97. The differences between Varanasi and Chitrakoot is that while in the former district all the cases had been identified with the help of Government officials and all had a common date of release, i.e. January 9, 1997 as well the same date on which their subsidy amount for rehabilitation was received (August 15, 2000). This goes to show that it took over a period of three and a half years for the actual sanction of subsidy amount from the date of release of the bonded labourers. The scheme of rehabilitation and payment of subsidy under the scheme has been formulated to ensure that the released bonded labourers is provided a base on which he can develop a means to earn livelihood on a sustained basis. However, if it takes such a long time for the subsidy to reach the individual then the very objective of the scheme is lost. Two-thirds of these respondents have reported that they faced considerable problems in receiving the subsidy amount. The types of problems indicated are undue time taken in the clearance, harassment before grant of

the subsidy and considerable expenditure had to be made in running around for the release of subsidy. With respect to the nature of problems we received multiple responses. We also asked the respondents whether they should have been provided any training in connection with the vocation which they wanted to pursue on rehabilitation and around 55 per cent were of the opinion that they should have been properly trained and that the training would have proved useful in the pursuance of their vocation.

Table 2.5: Details Regarding Release of Bonded Labourers

Details	Varanasi	Chitrakoot
1. Total Sample (Year of Identification – 1996-97)	18	40
2. <u>Identifying Agency</u> Government Officials	18 (100.00)	26 (65.0)
NGO	—	13 (32.5)
Social Worker	—	1 (2.5)
3. <u>Year of Release</u> 31-12-1996	—	40 (100.0)
09-01-1997	18 (100.0)	—
4. <u>Year of Rehabilitation</u> 14-03-1997	—	34 (85.0)
13-01-1998	—	4 (10.0)
15-08-2000	18 (100.0)	—
17-02-2001	—	1 (2.5)
02-07-2001	—	1 (2.5)
5. <u>Time Taken Between Release & Rehabilitation</u> Less than six months	—	34 (85.0)
2 to 4 years	18 (100.0)	4 (10.0)
4 and above years	—	2 (5.0)
6. <u>Was Training Required</u> Yes	10 (55.5)	9 (22.5)
No	8 (44.5)	31 (77.5)
7. <u>Did you face any Problem in Receiving Subsidy?</u> Yes	12 (66.7)	21 (52.5)
No	6 (33.3)	19 (47.5)
8. <u>If Yes, Nature of Problem (Multiple Response)</u> More Time	7 (41.2)	6 (20.0)
More Expenses	3 (17.6)	11 (36.7)
Harassment	7 (41.2)	4 (13.3)
Poor Quality of Animals	—	9 (30.0)

*Subsidy provided to all Bonded Labourers at the time of Rehabilitation.

When we look at the data obtained from the respondents of Chitrakoot 65 per cent had been identified as bonded labourers by Government officials while around 32 per cent had been identified by the NGOs functioning in the district. There was one case of identification with the help of social workers. Although all of them got released on the same day, viz., December 31, 1996, the date on which they received the subsidy amount under the rehabilitation scheme varies. The maximum number (85 per cent) received the subsidy amount within a period of three months while 10 per cent received it within one year of their release. There were, however, two cases (5 per cent) which took over four years before the subsidy was released. The delay in the case of the two individuals beyond four years was caused by the fact that they are from Mau block which earlier used to be part of the overall Banda district. By the time the rehabilitation amount was to be released Chitrakoot had emerged as an independent district of which Mau block was a part. However, their papers, etc. were first received by the District Magistrate, Banda and that was the cause of undue delay. Around half the respondents reported that they faced problem in receiving payment. Around one-third complained that they had to incur expenses before they could get the subsidy. Another 30 per cent were not satisfied with the quality of animals provided to them. In the case of Chitrakoot there were 29 respondents who were provided goats and two respondents who had been provided bullocks and this response relates to such individuals. Those whose cases took one year or more in clearance have cited undue delay as the problem faced by them. These accounted for 20 per cent of our respondents. The remaining complained of harassment from government officials. Even in the case of Chitrakoot around 53 per cent respondents feel that they should have been provided with training

prior to starting up the activity which they initiated with the subsidy amount (Table 2.5).

Once the subsidy was received by the respondents they took up the activity as had been indicated by them to the enforcement officer. Their own preference had been the base for selection of the activity. The enforcement officer merely ensured that the activity was economically viable before recommending the same. We also inquired whether the amount of subsidy was sufficient in accordance to the needs of the activity undertaken and in case it was insufficient did they have to take a loan to cover the deficit and other matters related to repayment of loan. This information has been tabulated and presented in Table 2.6.

If we look at Table 2.6 it is quite clear that in the case of Varanasi all respondents received the full amount of subsidy (Rs.10,000 each). Out of these respondents two have informed that they did not utilize the subsidy for starting any economic activity. They spent the amount on the marriage of their sisters and are working as non-agricultural labourers. Out of these who utilized the amount to start some work they were almost evenly distributed in three activities, namely shop keeping, saree weaving and animal husbandry. Only one individual felt that the subsidy amount was not sufficient. However, he took no loan from any one or any agency to cover the shortfall. But of the entire sample only 16 per cent feel that they have benefited from the subsidy (Table 2.6).

Payment of subsidy in the case of Chitrakoot was done mainly in kind. Only two out of the 40 respondents received the full amount of Rs.10,000 in cash. The rest were paid fifty per cent in cash while the balance was in kind and was in accordance with the

Table 2.6: Details Regarding Subsidy Paid to Bonded Labourers

	Varanasi	Chitrakoot
Total Sample	18	40
1. Subsidy Paid in Kind:		
No (Full Cash Payment)	18 (100.0)	2 (5.0)
Goats	--	29 (72.5)
Bullocks	--	2 (5.0)
Retail Shop Material	--	4 (10.0)
Cycle Repair Material	--	2 (5.0)
Goat and Bullock	--	1 (2.5)
2. Activity Started with Subsidy		
Nothing	2 (11.1)	--
Shop	5 (27.8)	4 (10.0)
Saree Weaving	5 (27.8)	--
Animal Husbandry	6 (33.3)	33 (82.5)
Cycle Repairing	--	2 (5.0)
Started a Band	--	1 (2.5)
3. Was Subsidy Sufficient		
Yes	1 (5.6)	7 (17.5)
No	17 (94.4)	33 (82.5)
4. If No, did you take loan to meet your Requirement?		
Yes	--	3
No	17	30
5. If Yes, How Much (Average Loan Amount Per Person)?	--	9000
6. Source of Loan		
Bank	--	2
Friend	--	1
7. Rate of Interest (%)		
Bank	--	2
No Interest	--	1
8. Purpose of Loan		
Agriculture	--	1
Goat Rearing	--	1
Band	--	1
9. Has Loan Been Repaid?		
Fully	--	1
Partly	--	1
Not Yet	--	1
10. Have you Benefited by Subsidy		
Yes	3 (16.7)	15 (37.5)
No	15 (83.3)	25 (62.5)
11. If Yes What extent		
To some extent only	2	11
Very much	1	4

type of activity which they wanted to initiate. Bulk of the respondents (82.5 per cent) opted the animal husbandry sector and they have mainly gone in for rearing goats. Another ten per cent started shops. Two respondents took up cycle repair work and one started a band to play during marriage and other social occasions. As many as 82.5 per cent felt that the amount disbursed as subsidy was insufficient. However, only three out of them took some loan. Two of them took loan from the market at the on-going bank rate whereas the third had taken an interest free loan from a friend. Only one out of the three respondents have repaid their loan fully while another has paid it back partially. One has yet to begin repayment of loan. Despite receiving subsidy, only around 38 per cent feel that they have benefitted from the subsidy provided by the Government. However, even among them the majority feel that the extent of advantage was to some extent only (Table 2.6).

Our schedule had also been designed to capture the improvements which were brought about in the socio-economic conditions of the respondents after their rehabilitation. This will, to some extent, be a reflection on the extent to which the scheme of rehabilitation has proved useful and served its objective. We have made an effort to capture this in Table 2.7, which we will now analyze.

In the case of Varanasi it was found that as many as 78 per cent of the respondents changed their profession from the one for which they had been paid the subsidy amount. The reasons cited for change has been loss in business (57 per cent) and low income from the original activity (36 per cent). One respondent spent a part of the subsidy on social ceremonies and so did not have sufficient amount left to start the activity he had initially decided to undertake. As a means of follow up action the response from either government officials or the NGOs active in the area has not been

very encouraging since around 72 per cent respondents have reported no visit from any such persons to find out if they had any problem. The respondents faced no problem at all from their previous masters who had held them bonded (Table 2.7).

Table 2.7: **Improvement in the Conditions of Respondents After Rehabilitation**

Change	Varanasi	Chitrakoot
Total Sample	18	40
1. <u>Have you changed your occupation after rehabilitation:</u>		
Yes	14 (77.8)	32 (80.0)
No	4 (22.2)	8 (20.0)
2. <u>If Yes, Reasons</u>		
(a) Low Income	5 (35.8)	21 (65.6)
(b) Loss in Business	8 (57.1)	3 (9.4)
(c) Subsidy partly spent on social ceremonies	1 (7.1)	8 (25.0)
3. <u>Have Government Officials or NGOs visited you after rehabilitation?</u>		
Yes	5 (27.8)	—
No	13 (72.2)	40 (100.0)
4. <u>Did your old master pressurize you after your release?</u>		
Yes	18 (100.0)	1 (2.5)
No	—	39 (97.5)
5. Present Average Monthly Earnings (Rs.)	1017	1089
6. <u>Has Income Changed after Rehabilitation?</u>		
(a) <u>Increased:</u>		
Less than Double	2 (11.1)	4 (10.0)
Doubled	1 (5.6)	7 (17.5)
More than Double	14 (77.7)	26 (65.0)
(b) No Change	1 (5.6)	3 (7.5)
7. <u>Has there been improvement in the following aspects:</u>		
(a) Giving more time to your family:		
Yes	13 (72.2)	17 (42.5)
No	5 (27.8)	23 (57.5)
(b) Providing Education to the children:		
Yes	2 (11.1)	15 (37.5)
No	16 (88.9)	25 (62.5)
(c) Providing Medical Facilities to the Household Members:		
Yes	11 (61.1)	12 (30.0)
No	7 (38.9)	28 (70.0)
(d) In the qualify of life:		
Yes	11 (61.1)	8 (20.0)
No	7 (38.9)	32 (80.0)
(e) In your Social Status:		
Yes	5 (27.8)	10 (25.0)
No	13 (72.2)	30 (75.0)

The average monthly earnings worked out to be Rs.1017 per month per respondent and this was an improvement as compared to their earnings as bonded labourers. In almost 78 per cent cases their incomes had more than doubled despite the fact that even now they are rather low. Only one individual finds no change in his earnings. Looking at some of the social angles there is a mixed picture in Varanasi. The respondents are able to spend more time with their family (72 per cent positive responses), are able to provide medical facilities to their family (61 per cent) and feel that their quality of life has improved (61 per cent). However, nearly 89 per cent feel that they are not able to provide proper education to their children. What is equally disturbing is that around 72 per cent feel that there has been no improvement in their social status (Table 2.7).

The picture emerging in Chitrakoot is not altogether different. Change in profession has been reported by 80 per cent individuals. But the main reason for this change is low income from the original activity (66 per cent responses). Moreover, a much higher number of respondents have spent the subsidy on non-productive activities such as social ceremonies. Those reporting loss in business account for around 9 per cent of the total respondents. No government official or any individual running an NGO paid them a visit by way of follow-up measures after rehabilitation. Only one case has been reported of a rehabilitated bonded labourer being pressurized by his master after being released (Table 2.7).

The average monthly incomes per respondent are marginally higher in Chitrakoot (Rs.1089) as compared to Varanasi and in around 65 per cent of the cases their incomes have more than doubled. However, on the social front the situation is far from satisfactory because in all the aspects the percentage share of positive responses is

much less as compared to negative response. Three-fourths feel that their social condition has not improved and another 80 per cent experience no improvement in their quality of life. Similarly 70 and 63 per cent of the respondents are unable to provide proper medical and educational facilities to their family members (Table 2.7).

At the end of the schedule we enquired from the respondents whether they were aware of any action taken against those who had held them bonded, the nature of punishment given to them if any, whether the efforts of the government has had an impact on reducing the incidence of bonded labourers and their suggestions through which the scheme of rehabilitation can be improved. These aspects have been tabulated in Table 2.8.

When we look at the responses received in Varanasi around two-thirds of the respondents were aware of the fact that some cases were registered against those who had held them bonded and that they had initially been put behind bars and subjected to a monetary fine. The rest did not know whether any action was taken or not. However, a majority of them (72 per cent) were unaware as to whether the efforts of the government to eliminate the problem of bonded labour have yielded the desired result. Only around 11 per cent gave a positive reply while the remaining 17 per cent felt that there was no impact (Table 2.8).

Only one-third of these rehabilitated individuals were availing the benefits being provided under the various programmes of the government. The maximum number (4 respondents) had been employed in the Indira Awas Yojana. The two-third respondents who failed to enjoy any of these benefits were primarily deprived of the advantage, as they were unaware of such schemes. Two respondents reported that

Table 2.8: Perspective of the Bonded Labourers

Details	Varanasi	Chitrakoot
Total Sample	18	40
1. Has the Govt. Registered Case Against your old master?		
Yes	12 (66.7)	29 (72.5)
No	—	—
Do not know	6 (33.3)	11 (27.5)
2. If Yes, Punishment given to him?		
Yes	12 (66.7)	29 (72.5)
No	—	—
Do not know	6 (33.3)	11 (27.5)
3. Has the Govt. efforts reduced the problem of Bonded Labourer?		
Yes	2 (11.1)	20 (50.0)
No	3 (16.7)	1 (2.5)
Do not know	13 (72.2)	19 (47.5)
4. Are you Receiving Other Benefits under Different Programmes of the Govt.?		
Yes	6 (33.3)	11 (27.5)
No	12 (66.7)	29 (72.5)
5. If Yes, What benefits?		
Worked as Labour in Indira Awas Yojana	4	—
Received House Under Indira Awas Yojana	—	4
Land Allotment	1	3
Worked in the Construction of Footpath	1	2
Worked as Labour in JRY	—	5
6. If No, Why?		
Lack of time	2 (16.7)	1 (3.4)
Lack of knowledge about programme	10 (83.3)	16 (55.2)
Pradhan refused to work	—	12 (41.4)
7. Suggestion in the Scheme of Rehabilitation (Multiple Responses)		
Subsidy amount should be increased	16 (88.9)	23 (57.5)
Land should be allotted	—	24 (60.0)
Employment on other Government scheme	2 (11.1)	11 (27.5)
Loan should be provided	1 (5.6)	7 (17.5)
Full subsidy should be in cash	—	13 (32.5)
Training for self-employment	3 (16.7)	9 (22.5)
No delay in getting subsidy after release	2 (11.1)	6 (15.0)
Young and healthy cattle should be provided	—	7 (17.5)
Awas should be provided	—	4 (10.0)
Magistrate should enquire about Bonded Labour by personal visit in the villages	1 (11.1)	—

although they were aware of the schemes they could not find time to make use of them.

Coming to the suggestions, which will enable the scheme to be more effective, we received multiple responses. Almost 89 per cent felt that the subsidy amount should be suitably increased keeping in mind the prevailing price index. The next important suggestion was that training should be provided before subsidy is given to the individuals (Table 2.8).

Regarding the knowledge about action taken against the masters who had been keeping bonded labourers, the responses were similar in Chitrakoot to those of Varanasi, since around 73 per cent knew that some cases had been registered against the offenders and that initially they had been jailed or fined. However, we got a much more positive response from them regarding impact of rehabilitation scheme to curb the tendency of holding bonded labourers. This is evident since half the respondents have replied in the affirmative. In any case there are almost an equal number (47.5 per cent of respondents) who had no knowledge in this connection. As was the case in Varanasi very few respondents (27.5 per cent) were availing the benefits available under the various government programmes. Four individuals had been provided houses under the Indira Awas Yojana, five had worked in the JRY Scheme, three had been allotted land, etc. Among those who did not avail these facilities around 55 per cent did not have any knowledge of such schemes. However, around 41 per cent respondents have reported that although they were aware of the schemes and had made an effort to avail them but the Pradhan refused work to them (Table 2.8).

As far as suggestions related to the rehabilitation scheme is concerned, there is no concentration in any single suggestion. The two most important ones are provision of land allotment (60 per cent response) and increase in the amount of subsidy (57 per cent response). Other important suggestions are payment of full subsidy in cash (32 per cent), provision of employment by the Government (27 per cent) and provision of training prior to release of subsidy (22 per cent). A few have suggested that there should not be any delay in providing subsidy and that in case payment is being made in kind then it must be ensured that its quality (with special mention to animals) should be good (Table 2.8).

Highlights of the Points Emerging From the Analysis

We have analyzed the background of our respondents, found out the factors which had forced them into bondage, details of their release and rehabilitation and their views about how the scheme of rehabilitation can be improved and made more effective. The analysis has raised some important issues and they need to be highlighted. An attempt is, therefore, being made in that direction.

- (i) Despite the provision of a subsistence allowance it is generally not provided except in a few cases. Keeping in mind that a bonded labourer has been released and sent to his native place where he has to sustain himself and his family till he receives subsidy under the rehabilitation scheme, it is essential that every released bonded labour must be paid this allowance. The District Magistrate must use the power under TK27 to release this amount. In case the Government decides a specific fund can be provided for this purpose.
- (ii) The amount to be received as subsidy reaches the individual after a considerable lapse of time in many cases. However, our survey of Chitrakoot has revealed that in as high as 85 per cent cases subsidy was released within six months from the date of release. This, therefore, highlights the fact that if the Government officials are active, work can be done within a reasonably quick time. Keeping in mind the fact that the released bonded labourers come from the disadvantaged group and are poor it should be made mandatory to disburse the subsidy within six months of the release of each bonded labourer.
- (iii) At the time of release of bonded labourers they merely give a statement to the team which goes to identify the presence of bonded labourers. They are asked to provide an affidavit to this effect when the enforcement officer visits them in

their native place to enquire from them about the profession, which they would like to undertake under the rehabilitation scheme. It is observed that many individuals have refused to accept the fact that they were bonded and they have refused to take the subsidy. It would be much more appropriate if the affidavit is made at the time of release itself. This will not only ensure proper distribution of subsidy but will also facilitate the government in taking proper legal action against the offenders. Presently the offenders go unpunished if the released individual refuses to accept the fact that he had been held bonded.

- (iv) Before providing the individuals the subsidy it will be appropriate if they can be provided training related to the activity which they wish to undertake with the help of the money provided as subsidy. So far there has been no provision of training and so the government must think positively in this direction.
- (v) In the entire process beginning with release to rehabilitation of bonded labourers the officials of the Labour Department do not have any authority as such. The raid is conducted with the help of SDM and Police, release order as well as the subsistence allowance is given by the DM and after all clearances even the subsidy amount is provided by the DM. It would be much more appropriate if the funds are available within the Labour Office in each district. The DM has the right to delegate his powers to an appropriate official and in this case it can be the Assistant or Deputy Labour Commissioner posted in each district. This would reduce the unnecessary delays.
- (vi) The fact that a fairly high percentage of rehabilitated bonded labourers changed their profession after rehabilitation is indicative of the fact that the enforcement officials are probably not assessing the viability of the activity indicated by

bonded labourers properly. It was seen that around 78 per cent and 80 per cent respondents had changed their occupation on account of either loss in business or low levels of income. The person concerned must, therefore, make a detailed assessment related to anticipated success of the scheme before giving clearance to it. Moreover, this problem further highlights the significance of providing training to each individual before payment of the subsidy amount.

- (vii) The problems of the rehabilitated bonded labourers do not always end with receipt of the subsidy amount. They might have problems in running their business. Thus, the rehabilitation scheme must lay stress on effective follow up measures. The Government Officials directly or with the help of any NGO active in the district must visit the rehabilitated individuals at least on a quarterly basis for one year from the date of disbursement of the subsidy. The Vigilance Committee should be entrusted the task of ensuring that these follow up measures are taken.
- (viii) There have been cases where people have utilized the cash subsidy on unproductive purposes such as marriage and other social ceremonies. This tendency can be curbed if payment is made in kind instead. However, if this is done then the goods provided should be of good quality. Here again this work can be managed under the supervision of the Vigilance Committee.
- (ix) Keeping in mind the cost of living at present the amount provided as subsidy must be suitably raised.

These are some of the points which emerge from our analysis and which need to be considered for making the scheme of rehabilitation better and more meaningful.

CHAPTER III

PERCEPTIONS OF INFLUENTIAL PERSONS ON BONDED LABOUR PROBLEM AND THE SCHEME OF REHABILITATION

In the earlier chapter we had analysed the problem of bonded labourers from the point of view of the bonded labourers themselves and had identified some key areas, which need to be looked into for making the rehabilitation scheme more effective. While the study had proposed to undertake a survey of all the rehabilitated bounded labourers it had also been planned to obtain the views of some of the influential persons residing in our selected districts. For this we designed a separate schedule and sought information from these individual about their association with problems of bonded labourers, procedure adopted to release labourers and the problem in doing so if any; problems related to rehabilitation; the type of action being taken against the offenders and their suggestions regarding the scheme of rehabilitation. This chapter will aim at analyzing all these issues.

Table 3.1 gives some basic information regarding the influential persons who we interviewed and their awareness regarding the scheme of rehabilitation of bonded labourers. It has been decided to take different types of influential persons for our study. A total of 10 influential persons were identified and contacted from each district. They included individuals who were members of the Vigilance Committee, individuals running an NGO, Government officials, social workers or activists, educationists and individuals in active politics. We made sure that we selected at least one individual from each of these categories. However, some of the individuals we met belonged to more than one category. For instance the member of Vigilance Committee might also be running an

Table 3.1: Status and Details of Association of Influential Persons with Rehabilitation Scheme

Details	Varanasi	Chitrakoot
Total Sample	10	10
1. <u>Present Status</u>		
Member vigilance Committee	1	1
Running NGO	2	4
Government Officials	2	3
Social Worker/Activist	2	3
Educationists	1	1
Political Figure	4	3
2. <u>Year of Association</u>		
1-5 years	1	1
5-10 Years	4	5
Above 10 years	5	4
3. <u>Source through which Information of Bonded Labour is Received</u>		
Personal Contact	5	7
Telephone	1	-
Institutions(NGO's)	3	8
Complaint from relative/villagers	2	1
4. <u>Procedure Adopted to free Bonded Labour (Multiple responses)</u>		
Personal efforts	2	4
With the help of SDM after personal verification	9	9
5. <u>Problem faced in released of Bonded Labour (Multiple responses)</u>		
Offenders are influential person	2	4
Indifferent Attitude of Govt. Official	1	1
Bonded Labour himself reluctant to accept that he is bonded	5	4
No problem if properly identified	2	2
6. <u>Time Taken in release of Bonded Labour</u>		
Less than 1 Month	8	6
1-3 Months	2	2
Over 3 months	-	2
7. <u>Can Duration be reduced</u>		
Yes	2	3
No	8	7
<u>If yes, how</u>		
Quick action by Government Officials	2	3
8. <u>Provision made for Bonded Labour immediately after their release</u>		
Initial Stay with NGO	1	-
Sent directly to their native place	1	3
Provide financial help from on sources	2	-
Refer case to labour office/SDM	1	1
Provision of giving subsistence allowance	2	1
No provision	3	5

NGO or he may be an educationist or a political figure. It is for these reasons that the total responses related to present status of the influential persons exceeds ten in both our districts. In both the districts a majority of the influential persons interviewed by us had been associated with the problem of bonded labourers and their rehabilitation for 5 to 10 years or even in excess of 10 years.

The two important means through which information is received at the districts level related to presence of bonded labourers either in agriculture or industry are personal contact and the NGO's functioning in an area. Another method is through complaints received by either the villagers or relatives of the persons held in bondage. Regarding the procedure adopted to set free the bonded labourers the main way is to take the help of the SDM after it has been ascertained through personal verification that in some activity there are bonded labourers. However, some even try to make personal efforts before taking assistance of the SDM (Table 3.1).

The main problem in the release of bonded labourers is that at times the labourer himself is reluctant to be identified as bonded. This may be as a result of fear that he has and does not want to offend him or else he will be subjected to ill treatment. The other equally important factor is that generally people who are keeping bonded labourers are powerful persons who wield money, muscle and political power. At times therefore, even in conducting raids is difficult. Moreover at times even the attitude of the Government officials is said to be lacking as reported by one respondent in each district. At the same time two influential persons from each district feel that there is no problem at all if the bonded labourers are properly identified and the help of SDM and police is taken effectively. Eighty percent individuals of Varanasi and sixty percent from Chitrakoot have

reported that once it has been identified that there are bonded labourers then it takes less than one month to get him released. The remaining individuals in Varanasi feel it takes upto 3 months while in Chitrakoot two individuals each feel that it takes between 1 to 3 months and over 3 months. However, a majority of these influential persons in both the districts feel that the time to release them can not be reduced much further. Those who feel that it can be done are generally those who report that the process takes more than one month and may be even more than three months. In their opinion the duration can be reduced effectively if quick action is taken by the Government officials (Table 3.1).

Taking of the provisions made for the bonded labourers soon after their release it is mainly indicated there is no provision although they should be paid a subsistence allowance. However, some report that this allowance is given. The influential persons also point out that soon after their release the bonded labourers are sent directly to their native place. In the case of Varanasi some of the influential persons who are running an NGO or are social workers have reported that they make the initial stay after release with the NGO and that some initial financial assistance is met by them (Table 3.1).

The views of the influential persons related to rehabilitation of bonded labourers is analysed with the help of Table 3.2. When we look at Varanasi the main problem identified by these individuals in the rehabilitation process is undue delay as pointed out by 60 per cent individuals.

The other problem faced by bonded labourers is that the amount of subsidy is insufficient to meet his requirements (20 percent response). Besides this one respondent each felt that the bonded labourers do not receive full co-operation from the Government officials and that no proper assessment of their aptitude is conducted before granting

subsidy to them leading to loss in business or low earnings from the activity undertaken on rehabilitation. In Chitrakoot on the other hand as many as four individuals feel that the main problem arises since the amount of subsidy is insufficient. However, there are two persons who feel that the bonded labourers do not face any problem. The remaining four have identified one problem each such as lack of co-operation from Government officials; no assessment of their aptitude; undue delay in the process of rehabilitation; and threat from the previous master leading to change in their statement (Table 3.2).

It was surprising to note that although the influential persons knew the procedure for providing subsidy in both the district, there were two cases in Varanasi who have reported that they have no knowledge. These were the influential persons who had been identified at the village level. The total responses in Chitrakoot exceed 10 because in this district a majority of bonded labourers were paid subsidy both in cash and kind. While every individual contacted in Varanasi feels that amount provided under subsidy is insufficient there were only 8 persons in Chitrakoot who expressed this feeling. The remaining two felt that the amount is sufficient. In Varanasi the maximum number of influential persons feel that the subsidy be raised to between Rs.25,000 and Rs.50,000 (60 per cent response) and another 30 per cent feel that it will be sufficient even if it is raised to Rs. 25,000. The single case left feels that the amount paid be in excess of Rs.50,000 if the individual is to sustain the activity undertaken by him. In Chitrakoot there are equal number of respondents (50 per cent each) who feel that the subsidy amount be Rs.25,000 and those who feel that it should be between Rs.25,000 and Rs.50,000. In both the district a high percentage of individuals feel that the rehabilitation package approved by the screening committee is not sound and economically viable. Their apprehension is quite correct when we match their views with the number of

rehabilitated bonded labourers who have been forced to change their profession. Despite the fact that a few expressed no opinion on the issue related to training, most of the influential persons from both the districts felt that the rehabilitation package must include the component of training as well and that the training should be for a minimum of 7 to 15 days (Table 3.2).

Table 3.2: Perception of Influential Person about Rehabilitation of Bonded Labour

Details	Varanasi	Chitrakoot
1. What are the problems faced by bonded labour in their rehabilitation		
Bonded labour do not receive full co-operation from Government Official	1	1
No proper assessment of their aptitude	1	1
Are unable to manage out with the subsidy amount as they are untrained/less subsidy	2	4
Delay in the process	6	1
Threat and harassment leading to change in statement	-	1
No problems	-	2
2. Procedure for Providing Subsidy		
Do not know	2	-
Through Cheque, payment is made by DM	8	10
Through kind by DM	-	2
3. Is the subsidy amount sufficient		
Yes	-	2
No	10	8
4. If no, how much should it be		
25000	3	4
25000-50000	6	4
50000+	1	-
5. Is the rehabilitation package approved by the district screening committee economically sound & viable		
Yes	4	2
No	6	8
6. Do you feel that training is required before rehabilitation		
Yes	6	4
No	2	3
Do not know	2	3
7. Do you feel that there are still bonded labour in your area		
Few	3	3
Negligible	7	7
8. Is there any case of release in your knowledge		
Yes	3	2
No	7	8

Finally, the views expressed in each district were not the problem of bonded labour has almost been curbed and if at all there are cases in some pockets of either district they will only be negligible (70 per cent) or very few (30 per cent). Like wise it is felt that once a bonded labourer is identified and released there are hardly any chances of him becoming bonded as indicated by 70 to 80 per cent respondent in Varanasi and Chitrakoot respectively (Table 3.2).

The last section of the schedule pertaining to influential persons focussed attention on the type of action which was being taken against those who were keeping labourers in bondage, the type of punishment given to them and in the duration in which cases against them were being decided. At the end we also asked these individuals to give their opinion about the improvements which should be incorporated in the scheme of rehabilitation. These aspects have been analysed with the help of Table 3.3.

In both the districts the influential persons were of the view that proper action is not being taken against the offenders. In the case of Varanasi six influential persons have reported that not even a single case has yet been decided while the rest are not aware of the stages at which these cases have reached. In Chitrakoot three persons have indicate that there is no fixed time frame for awarding punishment and another two have informed that cases pending are yet to be decided. The rest did not have any information regarding the cases which had been filed against the offenders. With respect to the nature of punishment which can be imposed on the guilty persons were received multiple responses. As many as seven persons indicated that the offenders were given a jail sentence at the time to bonded labourers were released and another four responses indicated the imposition of fine. One influential person pointed out that there is no strictness adopted and that the offender is generally given a warning and left. Two

individuals were unaware about the rules in this connection. In the case of Chitrakoot half the influential persons reported that at the time of release of the bonded labourers the guilty were sent to jail and two said that they were simply fined. The remaining three had no knowledge in this connection (Table 3.3).

Even in the case of suggestions we have multiple responses. In the case of Varanasi the most important suggestion is that each rehabilitated bonded labourer must be provided proper training and that subsidy amount be suitably enhanced. The suggestion which comes next in importance is that there should be provision for strict and swift action against the offenders. This is closely followed by the suggestions that to curb the menace of bonded labour there should be another extensive survey of the district along with awareness campaigns against this crime. Some of the other suggestions given were that even after payment of subsidy the government should have a proper follow up action to look into the problems which individuals may face during the early phase of their rehabilitation and that the rehabilitation should be done in as quick a time as possible (Table 3.3).

In the case of Chitrakoot we once again find that the most important aspect in proper training and increase in the amount being offered as subsidy. This is closely followed by proper evaluation bonded labour problem coupled with adequate measures to make people aware of this malpractice. Yet another suggestion is that payment should be made in kind and that the product supplied, particularly animals, should be of good quality. Strict action in quick time, proper follow up action to improve the post rehabilitation scenario and quick availability of subsidy under rehabilitation are some of the other suggestions though indicated by fewer individuals (Table 3.3).

Table 3.3: Perception Regarding Action Against Offenders

Details	Varanasi	Chitrakoot
1. <u>Is proper action being taken against offenders</u>		
Yes	3	2
No	7	8
2. <u>Time frame within which cases are cleared</u>		
No fixed time	-	3
No case decided as yet	6	2
Do not know	4	5
3. <u>Nature of Punishment (multiple response)</u>		
No strict law	1	-
A simple warning is given	-	2
Fine	4	-
Imprisonment at the time when B.L. was released	7	5
Do not know	2	3
4. <u>What suggestion are desirable to improve the scheme of rehabilitation (multiple responses)</u>		
Strict action against offenders and quick decision	5	3
Proper evaluation & awareness campaign	4	6
Proper training and sufficient subsidy	7	7
Proper follow up action	3	2
Scheme should be simple & quick disposal	2	1
Payment in kind and not in case & good quality of animals	-	5

The analysis which has been carried out so far is primarily based on the information collected with the help of the schedules filled during the interviews with influential persons in the two districts. Besides this we also met some of the NGO's which are functioning the districts of Varanasi and Chitrakoot and held discussions with them. Besides this we also discussions with officials from the labour department. We also thought it appropriate to contact some individuals from each district who had been holding people as bonded labourers so that even their views could be obtained. We will now attempt to highlight these aspects.

However, before we attempt this analysis we wish to point out that as far as the process of identification of bonded labourers there was some differences in approach in

each district. In the case of Varanasi a complaint was lodged by an MLA Shri Ram Karan Patel who gave a written complaint that child labour was being employed in the Saree weaving units. Action was therefore, taken on the basis of this complaint and it was revealed that not only was child labour being employed but that they were even being held bonded. In Chitrakoot, on the other hand, the Government carried out a survey to identify bonded labourers. This survey was done jointly by a Non Government Organisation namely the Akhil Bhartiya Samaj Sewa Sansthan and officials from the Government (Lekhpal and Tehsildar). They first identified the bonded labourers and then the process for their release and rehabilitation was undertaken.

The Active NGO's Operating in the Districts

- (i) Manawadhikar Jan Nigarani Samiti headed - by Dr. Lenin
- (ii) Dr.Shambhoonath Foundation Research Centre – by Mr. Rajiv Singh Mrs. Roli Singh
- (iii) Uttar Pradesh Anusuchit Janjati Vikas Parishad - Dr. Rajesh Chaudhary (also member Vigilance Committee)
- (iv) Bachpan Bachao Andolan – Shri Lok Nath Pande

Dr. Lenin from Manawadhikar Jan Nigarani Samiti enforced that he used to be a member of the district level Vigilance Committee earlier but was not satisfied with the functioning of the Committee and so started his own organization and resigned from the Committee. He claims that there are quite a few bonded labourers still present in the brick kilns. His organization tries to identify them and get them released. In the past they have even provided some financial assistance to those who have been released from bondage.

The single couple whose centre is the Dr, Shamboonath Foundation are basically working for the cause of children. They identify children who are working in shops and other places and help to send them back to their parents by informing the parents after getting details of their address. They are not working in the field of bonded labourers as such. Similarly the Bachapan Bachao Andolan run by Shri Lok Nath Pande is also mainly working for the abolition of child labour in the district.

The Uttar Pradesh Anusuchit Janjati Vikas Parishad is headed by Shri Rajesh Chaudhary who is presently a member of the district Vigilance Committee as well. He was critical of the functioning of the Committee and said that its meetings are not regular. They are held primarily to fulfil the formality of holding the meeting and when he raises certain questions the DM or SDM fail to provide satisfactory answers and that no work is being done presently in the area of identification of bonded labourers. However, in his view there are bonded labourers in the district who need to be released and rehabilitated.

In the case of Chitrakoot the different NGO's which are active are :

- i) Akhil Bharatiya Samaj Sewa Sansthan – headed by Shri Gopal Bhai
- ii) Mahila Samakhya – Km. Varsha Ritushrestha
- iii) Vanangana - Mrs. Aarti Kukreja
- iv) Manav Vikas Sewa Sansthan – Shri Ashok Dwivedi
- v) Kule Banwasi Vyawasaya Sahkari Samiti – Mr. Satya Narayan Kule
- vi) Patha Kule Vikas Manch – Shri Rajendra Kule

The Akhil Bharatiya Samaj Sewa Sansthan which is being run by Shri Gopal Bhai is located in Chitrakoot. This organization played an important role in the identification of bonded labourers during 1996. Shri Gopal Bhai informed that their organisation was among the first who reported the cases of bonded labourers in the district. The

institution claims that they provided shelter to some bonded labourers soon after their release and also some monetary assistance while they were going to their native place. Moreover in some cases they also distributed bonds to some individuals towards their rehabilitation. According to Shri Gopal Bhai the problem of bonded labour has not been eliminated as yet.

Even Mahila Samakhya was active at the time when bonded labourers were being identified in 1996. The organisation was active at that time in Manikpur block and they took up the cause of bonded labourers by creating awareness among the ladies of those households which had bonded labourers. The male members were afraid and reluctant to come forward and give a statement. However, the efforts of Mahila Samakhya created the awareness among them. The organization is now engaged in other activities besides bonded labour identification and rehabilitation.

Vanangana to begin with was a sister organization of Mahila Samakhya but now is an independent unit. They are presently working in Manipur block and fighting for the cause of the female agricultural labourers who are being paid lower wages than their male counterparts. They claim that even after their consented efforts they have not yet been able to ensure wages to the workers at par with the prescribed minimum wages.

The Manav Vikas Sewa Sansthan is located in Karvi. Its Director Shri Alok Dwivedi is a lawyer while Shri Sulab Singh is its Secretary is also a journalist. They also feel that the problem of bonded labourers is still found in the district.

The Kole Banwasi Vyawasaya Sahkari Samiti located at Bharatkoop is an organization working solely for the development of the Kole Committee and are trying to ensure that they are being paid proper wages. Bharatkoop is the area which has around

32 stone crushing units in which members of the Kole Community are employed. The organization is headed by Shri Satya Narayan Kole.

Yet, another organization working for the upliftment of the Kole Community is the Patha Kole Vikas Manch which is active in Manikpur block under the leadership of Shri Rajendra Kole. They aim at ensuring proper wages to the Kole Community who are employed as agricultural workers. In U.P. the Kole Community is classified as scheduled castes while in M.P. they are classified as Scheduled Tribes. Even in Chitrakoot efforts are on to change them from the SC to ST category.

Views of Government Officials

While we spoke to the influential persons and those who headed an NGO to obtain their views we also spoke to the officials of the concerned districts. They were of the opinion that by and large the problem of bonded labourers has been eliminated and the bonded labour (Abolition) Act has certainly acted as a deterrent. However there may still be strong cases in some areas and do another survey could be taken up. The DM of Chitrakoot had given a written statement to the Government that the district is free of bonded labourers. Consequently the district no longer has a full office headed by an Assistant Labour Commissioner. There is only a small office headed by the Labour Enforcement Officer and two other employees. It was also indicated that despite the fact that in both the district the Vigilance Committees have been duly constitute but they are not very active. Meetings are held but they are held only to complete formalities and that there are no follow up actions.

The reaction from those holding people in Bondage

In the course of the field survey we also met some of the individuals who had held bonded labourers and tried to get their point of view. We met one individual in Varanasi who was engaged in the work of manufacturing Sarees and from those unit some child bonded labourers were identified and released. His argument was that they did have children in their unit. Some came to them to learn Saree Weaving. Some others came as their parents had been indebted to them and they came with their parents to work. They claim that although there was presence of child labour in their unit it was not the case of bonded labourers.

Similarly in Chitrakoot a land lord pointed out that the individual released from his farm had been working voluntarily for several years. That he had been given a few bighas of land to cultivate as well. Besides this the workers were also given extra money at the time of festivals and they never felt that they were being held bonded till such a time that the identification drive was initiated and these workers were instigated by the NGO's and then they gave the statement that the landlord was holding them in bondage.

The brick kiln owners claim that it is the mate who makes arrangements for supply of labour. He is paid in advance which includes some payment to the workers. The workers come to the kiln only often they receive this advance. However, as the brick manufacturing season reaches its peak many workers run away and lodge and complaint that they have been held bonded. It is alleged that they are being assisted in this by some NGO's and local lawyers. They claim the rehabilitation amount and start working in a difficult brick kiln. The owner is put to loss. He had already paid to the mate who had supplied workers and if workers leave mid-way then his production suffers and he has to spend much more for replacing the workers who have run away.

In this way it may be seen that even those who are supposed to have Committed the folly of keeping bonded labour have their own point of view and they feel that they were not totally wrong and that under the circumstances they were unable to prove their innocence.

We have analysed the information provided by influential persons, individuals running NGO's as well as Government officials on matters related to bonded labourers and their rehabilitation. Some of the important facts which emerge from the analysis are being highlighted below.

- (i) Since some released bonded labourers refuse to accept the fact that they had been held bonded proper action is not taken against the offenders. This happens because the bonded labourers are not required to provide an affidavit at the time of release. Thus the rules may be changed accordingly and the affidavit should be made at the time when each bonded labour is being given his release certificate.
- (ii) The rehabilitation process is generally time consuming. This is so because the entire procedure is such that the papers related to each case have to get clearance from a number of offices before the subsidy amount can be released. This aspect can be looked into and ways and means developed to reduce the time frame. In fact, once the affidavit has been collect in advance, there is clear cut case of providing subsidy. Consequently, even though the process may take time for clearance some provision can be made for payment from a specially created fund in the Labour Commission's Office.

- (iii) Before providing subsidy the aptitude of the individuals must be assessed and they should be provided some training in connection with the activity which they wish to be engaged in.
- (iv) The package of assistance is not always economically viable. Our analyses of the bonded labourers clearly brings out the fact that many individuals have changed their profession. It is, therefore, suggested that each package should be looked into carefully and its viability tested. Otherwise the bonded labourers will suffer losses or earn low incomes and will be forced into other activities.
- (v) It is equally important to have a proper follow up action after the release of subsidy. Government Officials must visit the individuals regularly and sort out their problems which they may face during the early period of their rehabilitation.
- (vi) There is a general consensus that the subsidy amount insufficient considering the present cost of living. It may, therefore, be desirable to enhance the amount suitably.
- (vii) The influential persons in Chitrakoot feel that the entire subsidy amount should be made available in kind and not in the form of cash. This would curtail the unproductive expenditure of the subsidy amount.
- (viii) As it is some offenders escape punishment because the rehabilitated bonded labourers refuse to sign the affidavit, the legal procedure is so lengthy that even after years they remain undecided. It is therefore, felt that strict action must be taken against the offenders within a specified time frame.

- (ix) Although the basic problem related to bonded labourers may have been eliminated then continue to be cases of agricultural and non-agricultural labourers being paid wages below the prescribed minimum wages. Similarly even today there may be the presence of child labour. These facts have been highlighted by some of the NGO's who are active in the district. It will therefore be appropriate to conduct a survey in each district once again particularly in areas which may be prone to this problem.

CHAPTER IV

CONCLUSION AND POLICY RECOMMENDATIONS

The problem of bonded labour dates back to very early times. In the modern time, however, it may be traced to the permanent settlement of land. Unfortunately the problem did not remain confined to agriculture alone. After Independence serious thought was given to it and according to one of the earliest surveys conducted in U.P. by the Gandhi Peace Foundation and National Labour Institute in 1978 there were as many as 5.5 lakh bonded labourers in Uttar Pradesh.

In 1976 the Parliament promulgated the Bonded Labour System (Abolition) Act which was aimed at abolition of bonded labour system with a view to preventing economic and physical exploitation of the weaker section of society. A scheme was subsequently devised for the rehabilitation of released bonded labourers. According to the Government of Uttar Pradesh there was no backlog for rehabilitation of bonded labourers at the end of 1987-88. Then again another survey was conducted by the State Government on the orders of the Supreme Court in 1996. Since 1996-97 to the year 2002-03 a total of 2313 bonded labourers have been identified and released in Uttar Pradesh. Of these 340 have been rehabilitated within the State.

Objectives and Sample of the Study

The Government decided to conduct a study to evaluate the scheme of rehabilitation of bonded labourers in Uttar Pradesh and in this connection the Girl Institute of development Studies, Lucknow was asked to conduct this study in the

districts of Varanasi and Chitrakoot by the Labour Commissioner, U.P. The study was undertaken with the following basic objectives:

- (a) To assess the efforts of the Central and State Governments in the process of rehabilitation of bonded labour;
- (b) To find out the reasons forcing individuals becoming bonded and the duration for which they were kept bonded;
- (c) To find out how they were identified and the time taken before they were released and rehabilitated;
- (d) To evaluate the impact of rehabilitation scheme by analysing the change in the socio-economic conditions of bonded labourers after rehabilitation; and,
- (e) To find out whether some changes are desirable to make the rehabilitation scheme more effective.

The study is primarily based on a field survey conducted in the two districts mentioned above. Two sets of Schedules were developed for the study. The first was to collect information from the rehabilitated bonded labourers and the second to obtain the views of the influential persons from each district. Moreover, some secondary information was also collected from the Labour Commissioner's Office, Kanpur.

The size of the sample we initially set out to cover was 21 in Varanasi and 65 in Chitrakoot. However, we were able to contact 18 in Varanasi since three are presently working in different states. In Chitrakoot we could contact 40 individuals. Out of the original list as many as 16 had refused to accept that they were bonded and so had refused to accept any subsidy, one had expired while the remaining eight were in employment elsewhere.

We will now present the highlights of our findings followed by some of the recommendations based on the analysis of data as well as on our discussions with various individuals.

MAIN FINDINGS OF THE STUDY

A. Related to the Rehabilitated Bonded Labourers

- (i) In Varanasi the bonded labourers released were also children. This was not so in case of Chitrakoot. Thus, their average age at the time of our survey was 20 years and 40 years in Varanasi and Chitrakoot respectively.
- (ii) In both the districts a very high percentage of respondents belonged to the disadvantaged group – Varanasi 83 per cent and Chitrakoot 100 per cent.
- (iii) Literacy levels in both districts among the rehabilitated bonded labourers were very low since illiteracy percentage was 72 and 80 per cent respectively in Varanasi and Chitrakoot.
- (iv) Even at present the average monthly earnings of these respondent households is rather low and worked out to be Rs.2767 and Rs.1816 in Varanasi and Chitrakoot respectively. They were working mainly as non-agricultural workers or were self-employed in Varanasi. In Chitrakoot their main concentration was as non-agricultural workers and as agricultural workers.
- (v) In both the districts the primary factors causing them to become bonded were indebtedness and poverty. However, in Varanasi they were all found bonded in

saree weaving units while in Chitrakoot they were bonded in the agricultural sector mainly (92.5 per cent).

- (vi) In Varanasi the respondents had remained bonded labourers for periods ranging from below two years to upto 10 years. However, in Chitrakoot they had been held bonded from less than two to over 15 years.
- (vii) In Varanasi every individual had been identified by a government official. As against this around 65 per cent had been identified by Government Officials and another 33 per cent by NGOs in Chitrakoot. In each district the date of release was the same for all bonded labourers within the district.
- (viii) None of the individuals were paid subsistence allowance while they were being sent home after their release in either district.
- (ix) In Varanasi the time taken between release and rehabilitation was between 2 to 4 years whereas nearly 85 per cent of individuals in Chitrakoot received their subsidy within six months of their release.
- (x) In Varanasi subsidy was paid fully in cash but in Chitrakoot 95 per cent respondents were paid half the subsidy in cash and the rest in kind.
- (xi) The type of activity taken up with the subsidy were saree weaving, shops, animal husbandry, etc.
- (xii) A very high percentage of respondents of Varanasi (94 per cent) as well as Chitrakoot (83 per cent) felt that the amount of subsidy was insufficient keeping in mind the activity they had opted for. Consequently only around 17 and 37 per

cent respondents from Varanasi and Chitrakoot respectively feel that they have benefitted from the subsidy.

- (xiii) As high as 78 and 80 per cent respondents from Varanasi and Chitrakoot had changed their profession from the one they had started on rehabilitation. This was mainly because the income levels from the activity were insufficient to sustain them or that the activity was incurring losses.
- (xiv) As compared to the days of bondage their incomes have gone up considerably after rehabilitation. However, even now the present average monthly earnings of a respondent are quite low at Rs.1017 and Rs.1089 in Varanasi and Chitrakoot respectively.
- (xv) As far as their socio-economic condition is concerned, the respondents of Varanasi feel that they are able to give more time to their family and provide better medical facilities to their family and that there has been an improvement in their quality of life. But no such improvement is found with respect to providing education to their children or in their overall social status. Unfortunately in Chitrakoot the responses in all the aspects indicated above highlight the fact that there has been no favourable change in their overall condition.
- (xvi) The suggestions, which they have given for improving the scheme of rehabilitation, are that the amount of subsidy be increased. This is the single most important factor emerging in Varanasi. In Chitrakoot, however, besides higher subsidy, the other aspects to be considered by the Government should be provision for land allotment, providing employment in Government, payment of

the entire subsidy in cash, training before giving subsidy and the scheme to provide loan.

B. Related to Influential Persons in Each District and Government Officials

- (i) The influential persons we selected for interview included members of the Vigilance Committee, people running NGOs, social workers, Government Officials, political figures and educationists. Ten such individuals were identified in each district.
- (ii) Most of them in each district had been associated with problem of bonded labour for a period above five years.
- (iii) The problems highlighted by them during release of bonded labourers are that the labourer himself is reluctant to accept the fact that he is bonded. The other thing is that many offenders are influential persons with money or muscle power and so identification itself is a problem. However, once identified time taken in their release is less than one month.
- (iv) It was pointed out that the government is not providing them subsistence allowance at the time of release.
- (v) That the subsidy provided is not sufficient and therefore should be increased. Moreover, the rehabilitation package is not economically viable and thus the rehabilitated individuals suffer a loss. Besides this it is also important to provide them training before giving subsidy to them.
- (vi) The influential persons feel that the problem of bonded labour has more or less been eliminated although there still may be some cases in each district.

- (vii) One area of concern is that no action is being taken against the offenders. There is no fixed time to decide a case and so cases linger on for a number of years.
- (viii) The nature of punishment is also such that it may not produce the desired impact. At times the offender is left with a warning or a small fine. In some cases the offender is sent to jail at the time the bonded labourer is released. But he is granted bail and moves around freely because the case lingers on.
- (ix) Looking at the suggestions given by them they felt that strict action must be taken against the offenders; that proper training and higher amount of subsidy is needed for proper rehabilitation. In case of Chitrakoot the influential persons are not in favour of cash subsidy.
- (x) The government officials also feel that the incidence of bonded labour in each of the two districts has gone down considerably. The only form in which it may still be prevalent is by way of wages below the prescribed minimum. As per the Supreme Court ruling even payment of lower wages amounts to keeping a labourer as bonded. Thus, it may be a good idea to conduct another survey in both districts.
- (xi) The individuals who are running an NGO feel that in some pockets of each district bonded labourers do exist but the Vigilance Committees are not active. They do hold meetings but these are held only as a formality and not with the purpose of doing something constructive. Thus, these Committees must be activated once again.

These points presented above summarize the highlights of our findings based on the field survey conducted in our two sample districts. We will not make an effort to offer some suggestions, which, we hope, will prove useful in improving the scheme, which has been initiated for the rehabilitation of released bonded labourers.

SUGGESTIONS AND POLICY RECOMMENDATIONS

- (i) The Government must ensure that each and every released bonded labour should be provided the subsistence allowance when the bonded labour is going home. It must be appreciated that this amount is absolutely essential for him to sustain himself and his family as soon as he reaches his native place and till he can find some job. The DM can give this amount under the TR 27 provision or through a separate provision, which may be introduced specifically for this purpose.
- (ii) In order to take legal action against the offenders who were holding bonded labourers it is mandatory that the bonded labourer should give an affidavit to this effect. Presently the bonded labourer is sent home after his release and then he is asked to give the affidavit when the Enforcement Officer visits him in his native place to enquire about the type of activity he would like to carry out. In many cases the individuals have refused to accept the fact that they were bonded labourers. In all such cases no action could be taken against the offenders. Moreover, they also refused the subsidy. Keeping this in mind it will be appropriate that the bonded labourers should be asked to submit the affidavit at the time of their release itself.

- (iii) There is some problem regarding the economic viability of the package provided to the bonded labourers for their rehabilitation. Consequently, individuals suffer losses and are forced into changing their activity. The enforcement officer must, therefore, study the viability of any package before recommending the same.
- (iv) While testing the economic viability of a project, it is equally important to assess the aptitude of the bonded labourer and to provide him suitable training so that he is better equipped to undertake the work for which subsidy is being provided to him.
- (v) Between the time a bonded labourer is released and till he receives his subsidy a considerable time lapses. In many cases it is found that it could be anything between two to four years. However, in many cases subsidy has been released within six months from the date of their release. The longer the delay the greater is the hardship, which the individual will suffer. Thus, it should be laid down that subsidy will be provided within a maximum period of six months.
- (vi) It was found that in some cases that cash subsidy was not properly utilized. Although, it had been paid primarily for the purpose of starting an activity, which would sustain the rehabilitated bonded labourer and his household, the amount was spent on social ceremonies such as marriage, etc. The easy way to curb this tendency is to pay subsidy in kind. In majority of the cases in Chitrakoot only 50 per cent of the subsidy was in cash while the rest was in kind. The government can think of the entire payment being paid in kind. However, if this procedure is adopted then it must be ensured that whatever is being given to the bonded labourers must be of good quality otherwise the very purpose of the exercise will be defeated.

- (vii) The responsibility of the government should not end with the disbursement of subsidy. Adequate follow up measures should form an integral part of the rehabilitation programme. A large number of persons would not have had to suffer losses and change their activity if the government officials had approached them and solved out their problems. For at least one year after providing subsidy the government officials should be asked to make quarterly visits to the rehabilitated bonded labourers to look into their problems, if any, and to sort them out.
- (viii) In the entire process of the scheme starting from release to rehabilitation officials from the Labour Department are merely mute observers. They do not have powers to release or even disburse the subsidy. They can, however, be asked to play a positive role. The Government can create a Corpus Fund with the Labour Commissioner and this can be utilized in providing both the subsistence amount as well as subsidy. This will ensure that even if there are delays in clearance the bonded labourers do not have to suffer. Once the funds are cleared and released it can be deposited in the Corpus Fund.
- (ix) Keeping in mind the fact that the cost of living index has been on the increase over the years there may be a favourable case to revise the subsidy amount suitably. Besides this the Government can also think of providing financial assistance by way of loans on easy terms to these individuals.
- (x) The bonded labourers should be accorded priority in the various developmental programmes of the Government. With the help of these schemes they can supplement their household incomes and this will be useful in improving their

quality of life. Our survey has brought out the fact that per capita incomes of rehabilitated workers are not very high.

- (xi) In order to stop misuse of the cash provided as subsidy there should be a provision of suitable punishment to anyone using the money for unproductive purposes.
- (xii) In the present scenario there are so many loopholes which are being exploited by offenders because of which hardly any legal action is taken against the offenders. The government must devise ways and means through which proper legal action can be taken. Moreover, cases should be decided within a given time frame.
- (xiii) Instead of trying the cases in the court of the Chief Judicial Magistrate a special provision can be made to try all such cases in the Labour Court. The time period may also be laid down.
- (xiv) The Vigilance Committees need to be properly activated. They have an important role to play. Since the DM has the authority to delegate power to others he can identify suitable individuals who can spare more time towards this activity. The DM and SDM are already over-worked with numerous responsibilities. This is where the Labour Department can play an active role.
- (xv) At the district as well as block level awareness programmes must be carried out among the people about their rights and about the minimum wages which have been prescribed by the Government. It was pointed by the Deputy Labour Commissioner in Varanasi that his office does not have any funds for this

purpose. In the past they have been able to undertake this work with the help of some posters provided by UNICEF and ILO.

- (xvi) Keeping in mind the fact that the last survey related to bonded labourers was carried out in 1996, it is time for the Government to initiate the process once again. To begin with some sensitive pockets in each district may be identified with the help of NGOs or other social workers and a survey be conducted in such areas to begin with. If necessary, then the entire district could be covered.
- (xvii) In the case of Varanasi it was seen that the initial complaint was that of presence of child labour and later the issue of bonded labour was also dovetailed into it. It would, however, be more appropriate if these two issues can be dealt with separately. In Varanasi the cases identified were of children even below 10 years of age at the time of their release. Their case of rehabilitation is quite different as compared to that of an adult. The child first requires education rather than a package deal to earn a living.
- (xviii) Finally, we feel that a closer inspection is required into the very definition of 'bonded labour'. The concept of bonded labour was quite different earlier than compared to what it is after the orders of the Honourable Supreme Court through which bonded is also applicable to cases where the wages given are below the prescribed minimum. This situation may be prevailing in many activities including agriculture as well as manufacturing and the service sector. Thus, it really boils down to the implementation of the Minimum Wages Act. Such individuals who are being deprived minimum wages need to be given their

due rather than a rehabilitation package, which may take upto four years to materialize.

On the whole, however, the government has certainly taken a step in the right direction by formulating the scheme of Rehabilitation of Bonded Labourers and we sincerely hope that some of the suggestions offered by us will prove beneficial in making the scheme more effective and useful.

REFERENCES

- Bonded Labour System (Abolition) Act, 1976, Tenth Edition, 2004, Eastern Book Company, Lucknow.
- Bonded Labour: Location, Emancipation and Rehabilitation of Bonded Labour, National Labour Institute Bulletin, Vol.13, No.12, December 1977.
- Fate of Bonded Labour, People's Democracy (Weekly), July 25, 1976.
- Five Year Plans, Government of India and Government of Uttar Pradesh.
- Hamilpurker, J.L., Changing Aspects of Bonded Labour in India, Himalaya Publishing House, Mumbai, 1989.
- Husain, Dalwal, Bonded Labour Continues, *Economic and Political Weekly*, May 28, 1977.
- Iyer, Gopal, K., Bonded Labour in Two Villages of Bihar, *Mainstream*, February 19, 1977.
- Kamble, N.D., Bonded Labour in India, Uppal Publishing House, New Delhi, 1982.
- Lal, A.K., Bonded Labour in India, *Social Welfare*, Vol.XXII, No.12, March, 1976.
- Lal, A.K., Politics of Poverty: A Study of Bonded Labour, Chetana Publications, New Delhi, August 1977.
- Moorthy, C.K., Rehabilitation of Bonded Labourers, *Social Welfare*, Vol.XXIII, No.11, February, 1977.
- Moorthy, C.K., Rehabilitation of Trends of Bonded Labourers, *Vanyajati*, 24(4), October, 1976.
- Mundle, Sundipto, Backwardness and Bondage, Indian Institute of Public Administration, New Delhi, March, 1979.
- Mundle, Sundipto, The Bonded of Palamau, *Economic and Political Weekly*, Vol.XI, No.18, May 1976.
- Padgaonkar, Dilip, Bonded Labour in India, *Mainstream*, February 5, 1977.
- Panda, Damodar, Labour in Unorganized Sector, Manak Publications (P) Ltd., New Delhi, 1999.

Rehabilitation of Bonded Labour, *Social Welfare*, Vol.XXIII, No.9, December, 1976.

Sharma, G.B., Law an Instrument for Abolition of Bonded Labour: The case of Rajasthan, *Indian Journal of Public Administration*, (Quarterly), 23(3), July 5, 1977.

Sharma, Marla, Bonded Labour in India (National Survey on the Incidence of Bonded Labour), Final Report, 1981, Bibla Impex Pvt. Ltd., New Delhi, 1981.

Sharma, Snehlata, Roots of Bonded Labour, *Hindustan Times*, Daily, December 7, 1975.

Shivaraman, H., Bonded Labour, *Hindustan Times*, Daily, December, 1975.